

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 1 de 1955

JOINT REGULATION 1 of 1955

## JOINT REGULATION

No. 1 of  
1955.

To provide for the Regulation of the supply of water by pipe by the Joint Administration and to provide for the maintenance and protection of the water supply undertaking.

*Joint Regulation No. 1 of 1955 was published in Condominium Gazette No. 186 and is reprinted as amended by the following Joint Regulations:*

- 1 of 1958 Condominium Gazette No. 198
- 2 of 1958 Condominium Gazette No. 198
- 3 of 1963 Condominium Gazette No. 218
- 15 of 1964 Condominium Gazette No. 222
- 16 of 1964 Condominium Gazette No. 223
- 33 of 1966 Condominium Gazette No. 244
- 11 of 1971 Condominium Gazette No. 304
- 14 of 1973 Condominium Gazette No. 324

Made by the Resident Commissioners under the provisions of Article 7 of the Anglo-French Protocol, 1914.

1. "Consumer" means a person in occupation of any premises to which a water supply pipe and meter have been laid.

"Premises" means any land, building or other property to which a water supply pipe and meter have been laid.

"Superintendent of Works" includes any person charged by the Resident Commissioners with the duties of that Office.

2. The charges in respect of water supplied by pipe to a consumer's premises shall be determined by the Resident Commissioners in the Schedule to this Regulation.

[3. (a) All water registered on a meter shall be held to have been consumed by the consumer and meter readings shall be taken by a person authorised in writing by the Resident Commissioners for that purpose: Provided that in the event of the consumer's meter breaking down or being defective during any quarter, his consumption [may] be determined by the person authorised to read meters by averaging the consumer's consumption over four previous quarters. If the consumer has occupied the premises for less than four quarters, consumption shall be determined by averaging his consumption over his period of occupation.

J.R. 15 of  
1964.J.R. 16 of  
1964.

(b) An account shall be sent in the months of April, July, October and January to each consumer, and, subject to the provision of the next succeeding article, a consumer shall, within one month of the receipt of such account, pay to the Joint Administration the sum stated to be due.]

4. Should a consumer object to an account he may within seven days of receipt of such account present his objections in writing to the Superintendent of Works whose decision as to the amount due shall be final. Failure to object within the prescribed period shall be held to constitute an admission by the consumer of the correctness of the account.

5. In the event of a consumer failing to pay an account within the period specified in Article 3 above, or, if he shall have lodged an objection to such account in accordance with the provisions of article 4, within one month of the communication to him of the decision of the Superintendent of Works, the Joint Administration may at the cost and expense of the consumer disconnect the supply pipes to the premises of the consumer and discontinue the supply of water to him without prejudice to the rights of the Joint Administration to recover from the consumer any sums due by him in respect of water supplied to him and in respect of meter rental and the cost and expense of such disconnection.

6. The Joint Administration shall retain the ownership of, and subject to the provisions of article 8 of this Regulation shall be responsible for the maintenance of, all supply pipes, valves and other apparatus, including the meter, supplied by it. All connections, fittings and other apparatus used in carrying water from a meter to the consumer shall be provided by the consumer at his expense. Provided that any connection to a meter shall be made only by the Superintendent of Works or a person authorised by him to make such connection.

7. Any person who wilfully or fraudulently or by culpable negligence suffers to be injured or altered any water line or fire hydrant, valve, meter, fittings, apparatus or works belonging to the Joint Administration or alters the index of any meter or prevents any meter from duly registering the quantity of water supplied [or fraudulently abstracts or uses water supplied by the Joint Administration] shall be guilty of an offence and shall on summary conviction be liable to a penalty not exceeding twenty pounds, or to imprisonment for a term not exceeding one month and the Court in imposing such penalty may, in addition, order such offender to sustain the cost of any damage so caused and to pay the Joint Administration any charges which by virtue of the offence it may assess the Joint Administration to have lost.

J.R. 1 of  
1958.

8. The Joint Administration shall not be liable to any person by reason of any partial or total failure of the supply of water from any cause whatsoever, and may at any time temporarily discontinue the supply of water whenever in the opinion of the Superintendent of Works [or the District Engineers at Santo and Tanna respectively] such discontinuance is desirable for the purpose of ensuring the efficient operation of any works under the Administration's control or for the purpose of conserving water resources.

J.R. 11 of  
1971.

9. If a consumer vacates any premises without giving prior notice in writing to the Superintendent of Works [or the District Engineers at Santo and Tanna respectively], the Superintendent may cause the disconnection of the water supply to such premises, and the consumer shall be held liable for the payment of any charges registered on the meter when the meter reading is taken and for the cost and expense of any disconnection of supply.

J.R. 11 of 1971.

10. The Superintendent of Works [or the District Engineers at Santo and Tanna respectively] shall be entitled to examine any installation provided by the consumer and connected to the water supply, and for that purpose shall have the right to enter any premises to which a water supply pipe and meter have been laid.

J.R. 11 of 1971.

[10A. The Resident Commissioners may jointly exempt any person or corporation from any of the provisions of this Regulation or of any Rules made thereunder.

J.R. 3 of 1963.

10B. The Resident Commissioners may jointly make Rules for carrying this Regulation into effect.]

11. This regulation may be cited as the "New Hebrides Water Supply Joint Regulation, 1955" and shall come into effect on the date of signature.

Dated at Vila, this Third day of January, 1955.

M. AGOSTINI

H. J. M. FLAXMAN

The Resident Commissioner  
for the French Republic.

Her Britannic Majesty's  
Resident Commissioner.

[SCHEDULE

WATER CHARGES

(section 2)

J.R. 14 of 1973.

1. Minimum quarterly charge—

- (a) In Vila and Santo: 550 FNH or the equivalent thereof in Australian dollars at the official rate of exchange in respect of each connection from the water mains, up to a maximum consumption of 7,500 gallons;
- (b) In Tanna: 85 FNH or the equivalent thereof in Australian dollars at the official rate of exchange in respect of each connection to the water mains, up to a maximum consumption of 7,500 gallons.

2. Additional consumption—

- (a) In Vila and Santo: 5.555 FNH or the equivalent thereof in Australian dollars at the official rate of exchange for every 80 gallons or part thereof in excess of the abovementioned consumption.
- (b) In Tanna: 3 FNH or the equivalent thereof in Australian dollars at the official rate of exchange for every 80 gallons or part thereof in excess of the above-mentioned consumption:

*Provided* that any charge calculated to include any fraction of a New Hebridean franc or an Australian cent shall be reduced to the next lower sum of whole francs or cents.

3. Proportionate charges—

In any case where a connection has been made less than three months previously, the subscriber shall pay at a proportionate rate calculated according to the number of days in the quarter during which he has been supplied with the water. Excess consumption shall be paid for at the rates set out in paragraph 2 above.]

---