SUBSIDIARY LEGISLATION 545.03

WATER SUPPLY REGULATIONS

16th March, 1948

GOVERNMENT NOTICE 133 of 1948, as amended by Government Notices 352, 512 and 752 of 1948, and 172 of 1957; and Legal Notices 89 of 1959, 29 of 1963, 14 of 1969, 100 of 1972, 68 of 1974, 46 and 91 of 1975, 101 of 1979, 48 of 1980, 6, 45 and 84 of 1981, 7, 28 and 39 of 1983, 15 and 56 of 1985, 60 of 1988 and 53 of 1990; Act XXIII of 1991; and Legal Notices 105 of 1994, 142 of 1997, 58 of 1999, 426 of 2007, 331 of 2008, 36 of 2010, 102 and 426 of 2012, 109 of 2014, 108 of 2015, 210 of 2017 and 243 of 2022.

Citation.

1. The title of these regulations is the Water Supply Regulations.

Definitions.
Amended by:
L.N. 29 of 1963;
L.N. 14 of 1969;
L.N. 91 of 1975;
L.N. 6 of 1981;
L.N. 45 of 1981;
XXIII. 1991.53;
L.N. 105 of 1994;
L.N. 58 of 1999;
L.N. 331 of 2008;
L.N. 36 of 2010;
L.N. 102 of 2012;
L.N. 210 of 2017;
L.N. 243 of 2022.

2. (1) In these regulations, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them:

"Chief Executive" means the Chief Executive of the Corporation;

"communication" or "service" means the pipes and other fittings from which the main pipe lead to and up to the meter and shall include any apparatus intended for the registration of consumption of water enabling the transfer of data through a network, primarily for monitoring and billing purposes;

"constant supply" means a supply of water which is made to a tenement by means of a pipe connected with the water works so as to allow of water being at any time drawn from the taps or other outlets connected with such pipe;

"consumer" means the person or body to whom or on whose account water is supplied by the Corporation;

"Corporation" means the Water Services Corporation established under article 3 of the Water Services Corporation Act; Cap. 355.

"highly polished reclaimed water" means treated wastewater which is treated to tertiary standards using any combination of ultra-filtration, reverse osmosis, activated charcoal and advanced oxidation processes so as to comply with the relevant quality standards and requirements established by the Superintendent of Public Health and any other competent authority established at law as may be applicable;

"highly polished reclaimed water distribution system" means all underground and above ground systems of mains, pipes, reticulation, distribution and trunk mains, pipelines, pumps, boosters, meters, valves, reservoirs, water tanks and ancillary fittings, which are used for the transfer and distribution of highly polished reclaimed water;

"holding unit" means the unit of contiguous agricultural land held by the consumer supplied with highly polished reclaimed water and which is used solely for agricultural purposes;

"non-potable water" means water excluding water intended for human consumption as defined under the Water Intended for Human Consumption Regulations and not including highly polished reclaimed water;

S.L. 449.57.

"office" means the Head Office of the Corporation;

"person residing in the tenement" has the meaning assigned to it in regulation 14;

"preferential tariff" means that tariff for a supply to a residential tenement which is less than the other;

"primary residence" means the dwelling house in which an individual habitually resides as his sole or principal place of abode, whether in Malta or elsewhere, as may be established by documentary evidence:

Provided that such a dwelling house shall not be considered as primary residence if the property is also predominantly used for commercial or manufacturing purposes or for any form of trade or profession;

"residential or domestic tenement" shall have the same meaning in accordance with regulation 12;

"sea craft" includes floating tanks for the supply of water to any sea vessel;

"secondary residence" means any immovable property used solely for residential purposes, other than that residence which serves as an individual's primary residence;

"sewage" means domestic sewage and, or wastewater or the mixture of domestic sewage and, or wastewater with industrial sewage and, or wastewater and, or run-off rain water;

"supply to a residential or domestic tenement" means a supply of water made to a tenement to meet the domestic requirements of the person or persons residing in the tenement;

"taking over" means the commencement of occupation by an owner, a tenant or other occupier of a tenement, or by the proprietor of an industrial or commercial establishment, served with a constant supply;

"tenement" includes any part of a tenement provided with a constant supply, normally metered separately, and it may be either a residential or domestic tenement or a non-residential tenement.

Cap. 355.

(2) The meanings set out in article 2 of the Water Services Corporation Act shall be applicable in these regulations, unless the context requires otherwise.

Identification of employees. *Amended by: L.N. 6 of 1981; XXIII. 1991.53.*

3. Workmen of the Corporation shall be provided with a pass countersigned by the Chief Executive, and they shall, if so required, produce it before they are given admission to any tenement.

Applications. *Amended by: XXIII. 1991.53.*

4. Applications for the supply of water shall be made on a form obtainable from the office and shall be addressed to the Chief Executive.

Water services.
Amended by:
L.N. 6 of 1981.
Substituted by:
L.N. 58 of 1999.
Amended by:
L.N. 426 of 2007;
L.N. 331 of 2008;
L.N. 36 of 2010.

5. (1) Services shall be provided and laid by the Corporation, at the expense of the applicant, and in such manner as the Corporation may deem necessary or expedient in accordance with those policies established by it:

Provided that any repairs or alterations to a service shall be at the expense of the Corporation:

Provided also that, with regard to those works which are carried out within the boundaries of a tenement, the Corporation shall not undertake to restore ornamental floors, wall surfaces or any other decorations which may be unavoidably interfered with in the execution of such works.

(2) The fee which is to be collected by the Corporation as payment for the provision and laying of the service shall be as follows:

when one communication is made for a residential supply	€345
when one communication is made for any other supply	€760:

Provided that, where the service is longer than seven metres, the Corporation shall charge an additional sum of €23.29 for every metre, or part thereof, by which the service is longer than seven metres:

Provided further that, for the purpose of measurement, where the main pipe lies in the road in front of the tenement, it shall be deemed to lie in the middle of the road.

(3) No work on the service shall be commenced before the Corporation shall have received the total fee due to it for such service as indicated in sub-regulation (2).

(4) Houses, apartments, flats, factories, hotels, commercial outlets, offices, and any other buildings which are physically internally interconnected shall be provided with only one service unless otherwise authorised by the Chief Executive.

(5) Whenever works to be carried out by the Corporation, whether for the installation of a service, or whether so requested by any person, necessitate the deviation of the main pipe, the person requesting such works shall bear all the costs in relation to such works:

Provided that no work shall be commenced before the Corporation shall have received half of the estimated amount due to it for such works.

Prohibition of work on a service.
Amended by:
L.N. 142 of 1997.
Substituted by:
L.N. 58 of 1999.

6. It is not permitted that any person performs any work, of whatever nature, on a service or in any manner whatsoever tampers with the service, unless authorised by the Corporation to do so.

Deposits.
Amended by:
L.N. 100 of 1972;
XXIII. 1991.53.

7. Before any of the works specified in regulation 5 are undertaken by the Corporation or before water is supplied to any consumer or at any time thereafter, the Chief Executive may,

without prejudice to the provisions of regulation 30, require such applicant or consumer to deposit at the office a sum of money to be fixed by the Chief Executive as a security for the regular payment of all amounts that may become due to the Corporation in connection with the works required by the applicant or, as the case may be, with the supply of water to that consumer. Without prejudice to the generality of the aforesaid powers, the Chief Executive may require such a deposit to be made when a consumer is or has been in arrears in the payment of water dues for two consecutive accounts in respect of the same tenement.

Refund of deposit. *Amended by: XXIII. 1991.53.*

8. A deposit made under regulation 7 in respect of the supply of water shall be refundable to the depositor on his ceasing to be a consumer, provided that all sums due to the Corporation in respect of the supply of water to that consumer have been paid.

Surety. *Amended by: XXIII. 1991.53.*

9. In lieu of requiring a deposit to be made as provided in regulation 7, the Chief Executive may require a consumer to produce an undertaking by a third party acceptable to the Chief Executive, who will hold himself bound jointly and severally with the consumer in respect of the regular payment of all amounts that may become due to the Corporation in connection with the supply of water to that consumer.

Tenements. *Amended by: XXIII. 1991.53.*

10. Any person who owns or administers or has under his control any tenement provided with a constant supply of water from the water works shall, on letting such tenement for longer than one quarter to any other person not permanently resident in these Islands, give notice thereof in writing to the Corporation stating the full name and any available particulars of the tenant and the agreed period of the tenancy; and so long as such notice is not given or if the information given is not correct, the lessor shall, without prejudice to the provisions of regulation 11, be liable jointly and severally with the lessee for any debt incurred by the latter on account of the tenement and of water supply to that tenement. The written acknowledgement of the Corporation shall be necessary to prove that the lessor has given the notice aforesaid.

Lease of tenement for less than one quarter.

11. Where a tenement provided with a constant supply of water from the water works is let to any person, either expressly or tacitly, by the week, by the month or for not more than one quarter, or when the tenement, being let for more than one quarter, is in fact occupied by the tenant for less than one quarter, the person who owns or administers or has under his control such tenement shall be liable jointly and severally with the lessee for any debt incurred by the latter on account of meter rent and of water supply to that tenement.

Supply tariff.
Amended by: G.N. 352 of 1948; G.N. 752 of 1948; L.N. 100 of 1972. Substituted by: L.N. 6 of 1981. Amended by: XXIII. 1991.53. Substituted by: L.N. 331 of 2008. Amended by: L.N. 36 of 2010; L.N. 102 of 2012; L.N. 243 of 2022.

12. (1) For the purposes of these regulations the tariff for a Residential Premises Service shall not exceed the maximum tariff established in the First Schedule and shall be calculated in accordance with the methodology as outlined in the First Schedule.

(2) For the purposes of these regulations the tariff for a Non-Residential Premises Service shall not exceed the maximum tariff established in the Second Schedule and shall be calculated in accordance with the methodology as outlined in the Second Schedule.

(3) For the purposes of these regulations a Domestic Premises Service shall not exceed the maximum tariff established in the Third Schedule and shall be calculated in accordance with the methodology as outlined in the Third Schedule.

(4) Notwithstanding the provisions of any other law, the Chief Executive shall, at any time and in his discretion, having regard to the provisions of these regulations, determine whether a Service is to be deemed a Residential Premises Service or a non-Residential Premises Service or a Domestic Premises Service for the purposes of these regulations.

(5) For the purposes of these regulations a consumer shall be entitled to submit an application requesting that a Service to an individual unit of residence, used solely and regularly as private dwellings, as may be confirmed by documentary evidence, be registered as a Domestic Premises Service:

Provided that the Service to the common parts of a condominium consisting entirely of premises used exclusively for residential purposes may also be submitted for registration as a Domestic Premises Service:

Provided further that, unless otherwise authorised by the Chief Executive, for good and sufficient cause, a consumer shall only be entitled to register as a Domestic Premises Service, a Service to one Primary Residence, a Service to one Secondary Residence and a Service to one Garage which does not exceed 30 square meters in area and is used exclusively for private, non-commercial purposes:

Provided further that in the case of uninhabited premises intended for residential use, the Corporation may allow such a service to be registered as a Domestic Premises Service for a period of up to twelve months.

(6) For the purposes of these regulations, a consumer shall be entitled to submit an application requesting the Chief Executive to register individuals having their primary residence in Malta on a Residential Premises Service in relation to such primary residence:

Provided that no one individual shall be registered on more than one Residential Premises Service at the same time and that no individual will be registered on a garage or on the common parts of a condominium.

(7) For the purposes of these regulations, a Service which is not registered as a Domestic Premises Service or a Residential Premises Service in terms of this regulation or a Service which has not been submitted for registration as a Domestic Premises Service

or a Residential Premises Service in terms of this regulation, shall be considered a non-Residential Premises Service, unless otherwise determined by the Chief Executive.

(8) The following provisions shall apply with respect to the registration of persons on a Domestic Premises Service or on a Residential Premises Service:

(*a*) a consumer shall furnish in writing to the Corporation, within such time as may be stipulated by the Corporation, any information together with any supporting documents which may be required for the purpose of such registration;

(*b*) a consumer shall notify the Corporation in writing of any change in the circumstances, on the basis of which such registration is made, not later than one month from when such change occurs;

(*c*) any change in the number of persons registered on a Domestic Premises Service or on a Residential Premises Service shall be taken into account, for the purpose of such registration, from the date of the first normal meter reading following the date on which the change in the number of persons occurs or the date on which the Corporation is notified in writing of such a change, at the discretion of the Corporation;

(*d*) a person residing in a tenement may apply to the Corporation so that he shall be registered on a tenement as a Domestic Premises Service other than that in which he resides;

(*e*) any application shall be made in such form as may be issued by the Corporation from time to time;

(*f*) every arrangement made in terms of this sub-regulation shall be valid until the 31st December of the year in which it was made or for which it was renewed, and it shall be deemed to have been renewed for the next following year, unless the consumer, not later than the last day of November of the year in which the arrangement is in force, gives notice in writing to the Corporation that he does not want the said arrangement to be so renewed.

(9) For the purposes of the First Schedule, the Second Schedule, the Third Schedule and the Fourth Schedule, "calendar year" and any other reference to a year (including "annum" or "annual") means a calendar year commencing on the 1st January and expiring on the 31st December of each respective calendar year.

13. (*Deleted by Legal Notice 331 of 2008*).

Water supplies other than domestic.
Substituted by:
G.N. 352 of 1948;
G.N. 752 of 1948;
L.N. 91 of 1975.
Amended by:
L.N. 101 of 1979.
Substituted by:
L.N. 6 of 1981.
Amended by:
XXIII. 1991.53.

14. (1) For the purposes of these regulations a person residing in the tenement is a person who in accordance with such records as may be in the possession of the Corporation, lives in the premises as his principal permanent residence.

Residents in a tenement.
Revoked by:
L.N. 91 of 1975.
Added by:
L.N. 7 of 1983.
Revoked by:
L.N. 15 of 1985.
Added by:
L.N. 105 of 1994.
Amended by:
L.N. 142 of 1997;
L.N. 331 of 2008;
L.N. 426 of 2012.

(2) Where the Corporation issues a bill indicating a preferential tariff in respect of a number of persons as residing in the premises and the consumer alleges that the number of persons for whom a preferential tariff is given is less than the number of persons actually so residing, such consumer may prove such allegation to the Corporation by the production of one or more legally valid identification documents issued under the Identity Card and other Identity Documents Act, and, in the case of persons under the age prescribed in the said Act, by the production of a certificate by the Director (Social Security) that children's allowances in respect of persons residing at such premises are being paid, by the said Director, or in both cases by the production of such proof that the Corporation may deem sufficient; and in the absence of such proof a person shall not be deemed to be residing at such premises and a preferential tariff shall not be due in his respect.

Cap. 258.

15. The Corporation may, on demand, supply non-potable water which shall be charged for as follows:

Non-potable water.
Substituted by:
L.N. 91 of 1975.
Amended by:
L.N. 101 of 1979;
L.N. 48 of 1980.
Substituted by:
L.N. 6 of 1981.
Amended by:
L.N. 56 of 1985;
XXIII. 1991.53;
L.N. 426 of 2007;
L.N. 331 of 2008.

Purpose	Rate
(*a*) Agricultural	€0.093 per 1 m^3
(*b*) Industrial	€0.093 per 1 m^3
(*c*) Building or other	€0.932 per 1 m^3:

Provided that this charge does not include the charge due for carrying and, or distributing such water.

16. For the purposes of these regulations, the tariff for the supply of highly polished reclaimed water shall not exceed the maximum tariff established in the Fourth Schedule, and shall be calculated in accordance with the methodology as outlined in the Fourth Schedule:

Supplies of treated sewage.
Revoked by:
L.N. 6 of 1981.
Added by:
L.N. 28 of 1983.
Amended by:
XXIII. 1991.53;
L.N. 426 of 2007.
Substituted by:
L.N. 210 of 2017.
Amended by:
L.N. 243 of 2022

Provided that, the charges and tariffs for the supply of highly polished reclaimed water shall be in accordance with the conditions established by the Regulator for Energy and Water Services in the approval of such charges and tariffs:

Provided further that, the Corporation shall, in its internal accounting system, keep accounts for the production, supply and distribution of highly polished reclaimed water, which are separate from the accounts for the production, supply and distribution of water

and for the collection and treatment of sewage, such as to ensure that the costs of the production, supply and distribution of highly polished reclaimed water may be ascertained, and that there is no cross-subsidisation between such activities and the activities of the production, supply and distribution of water and the collection and treatment of sewage.

Supply of distilled water.
Amended by: L.N. 68 of 1974. Substituted by: L.N. 46 of 1975; L.N. 91 of 1975. Amended by: L.N. 6 of 1981; XXIII. 1991.53; L.N. 426 of 2007.

17. The Corporation may, on demand, supply distilled water which shall be charged for at the rate of €5.125 per 1 m^3 for sea craft or air craft and €2.562 per 1 m^3, for other commercial or for industrial purposes. Arrangements for the transportation thereof will have to be made by the consumer.

Meters.
Amended by: XXIII. 1991.53.

18. All constant supplies shall be measured by a meter, provided that the Corporation may allow temporarily unmetered supplies to be made to any tenement.

Fixing of meters.
Amended by: XXIII. 1991.53; L.N. 36 of 2010.

19. Without prejudice to regulation 5, meters shall be provided and fixed by the Corporation at the expense of the applicant, in such part of the tenement and with such precaution as the Corporation may deem fit. Such meters shall remain the property of the Corporation. Keys of meter boxes or recesses shall be supplied to consumers against payment on application:

Provided that the Corporation may, whenever it so requires, install a single main meter on the outside of a multiple tenanted premises, and install individual and separate meters to the respective tenements situated thereat:

Provided further that in such cases the Corporation shall not be responsible for the communication between the main meter and the individual meters, nor for any damages arising between the two meters or further than the main meter, and it shall have the right to request payment for any unaccounted difference in water consumption registered between the main and individual meters by billing the difference to the individual meters.

Sealing of meters.
Amended by: XXIII. 1991.53.

20. Meters shall be sealed by the Corporation and the consumer shall be held responsible should the seals be found broken or tampered with at any time.

Service charge.
Amended by: L.N. 89 of 1959; L.N. 100 of 1979; L.N. 6 of 1981. Substituted by: L.N. 58 of 1999. Amended by: L.N. 331 of 2008.

21. The service charge shall be as indicated in the schedules.

Testing of meters.
Amended by: L.N. 56 of 1985; XXIII. 1991.53; L.N. 142 of 1997; L.N. 426 of 2007.

22. (1) Meters shall, on application by the consumer, be tested by the Corporation. The consumer or his agent may be present at the test. The test shall be binding both on the consumer and on the Corporation, and the consumption of water from the date of the last reading of the meter to the date of the test, or of the removal of the meter for the purpose of the test, shall be calculated in accordance

with the result of such test and charged for accordingly.

(2) If a meter, on being tested, shall be found correct up to a limit of six *per centum* (6%) more, a fee of eleven euro and sixty-five cents (€11.65) shall be charged to the consumer if the meter is found incorrect beyond the limit above stated.

Reading and examination of meters. *Substituted by: L.N. 89 of 1959. Amended by: XXIII. 1991.53.*

23. (1) Meters may be read or examined by the officials of the Corporation whenever required by the Chief Executive.

(2) Where a consumer, after receiving reasonable notice fails to afford facilities to an officer of the Corporation for the reading of the meters, the Chief Executive, saving any other liability incurred by the consumer or other person who refuses admission to the official of the Corporation, or hinders or obstructs such reading, shall cause an assessment of the consumption to be made, at his discretion, on the basis of any of the options provided under regulation 25 and the consumer shall be charged accordingly:

Provided that in any such case the proper adjustment of the consumer's account in respect of the consumption shall be made when the meters are eventually read.

Meters out of order. *Amended by: XXIII. 1991.53.*

24. When a meter is found to be out of order, notice of the fact shall be given in writing to the consumer and the meter shall be replaced by another meter. A record of the reading of the new meter at the time of its installation shall be given to the consumer at his request, provided that the Corporation may allow a temporary unmetered supply to be made until the new meter is installed.

Reckoning of consumption of water. *Substituted by: L.N. 89 of 1959. Amended by: L.N. 100 of 1972; XXIII. 1991.53.*

25. (1) The consumption of water in respect of the period between the reading immediately preceding the reading in relation to which the meter is found to be defective and the installation of a new meter or the repair of the defective meter, as the case may be, shall be reckoned, as the Chief Executive may direct, either in accordance with sub-regulation (2) or in accordance with sub-regulation (3).

(2) Where the Chief Executive directs that the consumption referred to in sub-regulation (1) is to be reckoned in accordance with this sub-regulation, such consumption shall be reckoned, at the discretion of the Chief Executive, on the basis of the average daily rate of consumption -

(*a*) during the corresponding period of the last preceding year; or

(*b*) during the period between the two readings immediately preceding the reading in relation to which the meter was found to be defective; or

(*c*) during the period between the date of the installation of the new meter or of the repair of the defective meter, as the case may be, and a subsequent date to be determined by the Chief Executive.

(3) Where the Chief Executive directs that the consumption referred to in sub-regulation (1) is to be reckoned in accordance with this sub-regulation, such consumption shall be reckoned on the basis of the average daily rate of consumption during the period

from the date of the installation of the meter found to be defective or the date on which the consumer became accountable in respect of the premises, whichever is the later, and the last day on which in the opinion of the Chief Executive the meter was in working order:

Provided that in the case of a consumer who has changed residence, where the Chief Executive directs that the consumption is to be reckoned in accordance with this sub-regulation, the average daily rate of consumption in respect of the corresponding period of the last preceding year at the place in respect of which such consumer was last accountable prior to the change of residence shall be the basis on which consumption shall be reckoned.

Special readings of meters.
Substituted by: L.N. 58 of 1999.

26. Special readings of meters may be taken at any time as agreed between the consumer and the Corporation.

Accounts.
Amended by: L.N. 100 of 1972 L.N. 6 of 1981; XXIII. 1991.53.

27. Accounts shall be made for such period or periods as the Chief Executive may determine either generally or with respect to any one or more consumers or classes of consumers and shall be posted to the address to which they refer, unless arrangements are made for their delivery at any other address.

Record of every reading.

28. Consumers will be furnished with a record of every reading of the meter, showing the consumption of water since the last preceding reading.

Rounding off.
Added by: L.N. 105 of 1994.
Amended by: L.N. 426 of 2007.

29. Bills shall be rounded up or down to the nearest cent.

Suspension of supplies.
Amended by: L.N. 6 of 1981.
Substituted by: L.N. 58 of 1999.

30. If any amount due to the Corporation under these regulations is for any cause not paid within fifteen days from the date specified in the bill requesting payment of such amount or if any deposit is not made when required in terms of regulation 7, there shall run interest on such amount or deposit at the rate of 9% *per annum* for every day which passes after the said fifteen days up to the date when payment is effected, and the water supply may be discontinued, and the service may be removed until the amount is paid or the deposit made. If the service is not removed, the service charge shall continue to be due:

Provided that any interest due shall be remitted if such amount or deposit is paid within forty-five days of the date specified in the bill.

Corporation not bound to restore supply.
Amended by: XXIII. 1991.53; L.N. 58 of 1999.

31. When subsequently payment is effected or the deposit is made, the Corporation shall not be bound to restore the supply and, if necessary, replace the service, on the date of payment or of the making of a deposit.

Damage caused to any part of the service.

32. The water supply may also be discontinued if the seals of a meter fixed in a tenement are tampered with, or if any damage is caused to any part of the service, wilfully or by neglect. In every such case, the consumer shall be responsible for any such damage.

Use of water for purposes other than domestic.
Amended by: G.N. 352 of 1948; XXIII. 1991.53.

33. The Corporation may at any time cut off or limit the domestic supply of water to any tenement if, in the opinion of the said Corporation, such water is being used for other purposes or it is necessary to restrict the general consumption of water, and may for the purpose plug any outlets as it considers necessary.

Supply of water for use in gardens and garages.
Amended by: G.N. 352 of 1948; XXIII. 1991.53.

34. The Corporation may at any time cut off or limit the supply of water for use in gardens and garages and may for the purpose plug any outlets as it considers necessary.

Fee.
Amended by: L.N. 6 of 1981; L.N. 58 of 1999; L.N. 426 of 2007; L.N. 331 of 2008.

35. A fee of sixty-nine euro and eighty-eight cents (€69.88) in each case shall be charged to consumers for cutting off the supply under regulation 30 or for restoring supply or for removal of meter or for re-installing meter.

Relief from liability.
Amended by: L.N. 6 of 1981; XXIII. 1991.53; L.N. 58 of 1999.

36. (1) A consumer shall not be relieved of his liability for the payment of the service charge and water consumption rates due unless and until he has given notice in writing to the Corporation of his intention to discontinue the use of water service from such a future date as shall be stated by him and has paid any amount that may be due by him under these regulations.

(2) In every such case the Corporation may cause the supply of water to be discontinued from the date mentioned in the notice.

Misuse of water.
Amended by: G.N. 512 of 1948; L.N. 6 of 1981.

37. No person shall -

(*a*) take any water from a standpipe when the house or premises in which he is actually living has main water laid on; or

(*b*) without the previous permission in writing of the Manager, make use of a constant supply or of a domestic supply for purposes of irrigation; or

(*c*) convey to his tenement or elsewhere water drawn from a standpipe in quantities exceeding forty litres at any one time.

Complaints.
Amended by: XXIII. 1991.53.

38. No notice shall be taken of complaints on any matter dealt with under these regulations, unless they are made or addressed to the Chief Executive.

Tampering etc. with communication.
Added by: L.N. 331 of 2008.
Substituted by: L.N. 36 of 2010.

39. Whenever it is found that any tampering with or damage to the communication has been made, or that a person is availing of unmetered water from any pipe or fitting belonging to the Corporation, the Corporation shall request the consumer, owner or occupier of the premises as the case may be, to pay damages to it in an amount of not less than one thousand and five hundred euro (€1,500).

Application of preferential tariff.
Added by: L.N. 331 of 2008.

40. The preferential tariff shall apply only where a bill is issued upon an actual reading taken either by the Corporation or by the consumer himself and submitted to the corporation.

Supply not to be passed to other tenement.
Added by: L.N. 331 of 2008.

41. A consumer who supplies, or allows the supply of, water passing through his meter to a tenement other than that for which the supply was intended, renders himself liable to have the supply to his tenement discontinued for such period as may be determined

by the Chief Executive:

Provided that the provision of this regulation shall not apply when the first mentioned tenement consists of a private garage, and either -

(*a*) it is adjacent to the residential premises occupied by such consumer, whether it has direct access from such premises or not, or

(*b*) it is within the precincts or on the same grounds of the residential premises of such consumer,

and, moreover, the garage is made use of by the said consumer and no other person has a right, on payment, to make use of the same garage.

Supply allowed in certain cases. *Added by: L.N. 331 of 2008.*

42. The Chief Executive may, in special cases and for a specified period, on a request made by a consumer, allow the supply of water through such consumer's meter to one or more tenements other than that for which the supply may have been registered.

Access to premises. *Added by: L.N. 36 of 2010.*

43. (1) Subject to the provisions of regulation 44, consumers shall at all reasonable times allow access to their premises to officials of the Corporation, and to any person engaged on its behalf, for the purposes of -

(*a*) reading, testing, removing or replacing the meter or any apparatus installed thereupon; or

(*b*) inspecting, removing, altering or replacing any other portion of the service,

(*c*) installing, inspecting, testing, replacing, removing or doing any other work as may be deemed necessary by the Corporation on any apparatus intended for the registration of consumption of water or enabling two-way transfer of data through a network, primarily for monitoring and billing purposes, or any related works.

(2) Any person who, without reasonable excuse -

(*a*) refuses to admit into any premises occupied by him an official of the Corporation who seeks admission thereto for the purpose of doing anything which he is authorized or required to do under these regulations; or

(*b*) hinders or obstructs any official of the Corporation in the performance of his duties,

shall be guilty of an offence against these regulations.

Notification of appointments to install, etc., apparatus. *Added by: L.N. 36 of 2010.*

44. (1) Prior to installing or doing any other work relating to the apparatus mentioned in regulation 43(1)(*c*) on the premises of a consumer, the Corporation shall notify in writing the consumer of the date of the appointment when such work shall be undertaken by the Corporation at the premises of the consumer:

Provided that in notifying an appointment, the Corporation shall endeavour to provide the consumer with an approximate indication of the time of the appointment.

(2) A notification of an appointment shall be communicated to the consumer at least four working days prior to the date proposed for the undertaking of the said works and shall clearly state the purpose of the appointment providing the consumer with contact details to communicate with a Corporation representative in case of queries.

(3) The consumer may request the Corporation to reschedule any such appointment:

Provided that such a rescheduled appointment shall be held within a period of fifteen working days from the date of the appointment originally notified by the Corporation to the consumer:

Provided further that the consumer shall, under pain of nullity, communicate his request for a rescheduling at least two working days before the scheduled day for the appointment communicated to him by the Corporation.

(4) The consumer may request a rescheduling of the appointment beyond the period of fifteen working days if he provides the Corporation with written documentation which demonstrates that the consumer shall not be able to be present within such a period due to any of the following reasons:

(*a*) his ill-health conditions or those relating to a close family member;

(*b*) the death of a close family member;

(*c*) travel reasons;

(*d*) jury service;

(*e*) at the discretion of the Chief Executive:

Provided that in no instance may the consumer request a rescheduling beyond the period of sixty working days from the date of the original appointment.

(5) Where the consumer requests the Corporation to reschedule an appointment in any of the following instances:

(*a*) between 8.00 a.m. and 4.00 p.m. on any day from Monday to Friday, not being a public holiday, and not beyond the period of fifteen working days of the first scheduled visit, the Corporation shall not issue any charges;

(*b*) between 4.00 pm and 8.00 pm on any day from Monday to Friday not being a public holiday, or between 8.00 am and 4.00 pm on a Saturday, as long as the appointment is not beyond the period of fifteen working days of the first scheduled visit, the Corporation may issue a charge equivalent to an after hours fee of €10; and, or

(*c*) between 8.00 a.m. to 4.00 pm on a Sunday or a public holiday, or beyond the period of fifteen working days of the first notified visit, the Corporation may issue a charge equivalent to an after hours fee of €25.

(6) The consumer shall be refunded any after hours fee paid to the Corporation for an appointment held in accordance with this regulation if the consumer requested rescheduling because of any of the following:

(*a*) performance of jury service;

(*b*) a court summons;

(*c*) travel abroad;

(*d*) a previously scheduled medical appointment, whether of the consumer or of a close family member who needs to be accompanied by the consumer;

(*e*) where the consumer is undergoing medical treatment or a close family member is undergoing medical treatment which necessitates the presence of the consumer; or

(*f*) at the discretion of the Chief Executive:

Provided that in any of the instances listed in this sub-regulation, the Corporation may require the consumer to furnish proof as it may reasonably require to substantiate the reason why the consumer is requesting a rescheduling of the appointment.

(7) Without prejudice to the provisions of this regulation, an appointment scheduled in accordance with this regulation which is not honored by the consumer shall, for the purposes of these regulations, be considered to be an unsuccessful scheduled visit.

Suspension of supply. *Added by: L.N. 36 of 2010.*

45. The water supply may be suspended if access to any premises for the purposes stated in regulation 43 and 44 or if access is refused or rendered difficult or impossible or if a consumer does not comply with the requirements of regulation 5 to be compliant to that regulation:

Provided that for the purposes of this regulation, access shall be deemed to have been refused, if the Corporation, or its representatives, for any reason whatsoever, are not afforded access to premises in terms of regulations 44 and 45, notwithstanding their reasonable efforts to notify the consumer or the occupant of the premises of their requirement to enter the premises.

Added by: L.N. 210 of 2017.

46. (1) The Corporation shall meter the supply of highly polished reclaimed water by meters provided by the Corporation.

(2) Regulations 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 42, 43, 44 and 45 shall *mutatis mutandis* apply with respect to the supply and metering of highly polished reclaimed water.

Added by:
L.N. 6 of 1981.
Substituted by:
L.N. 105 of 1994.
Amended by:
L.N. 142 of 1997.
Substituted by:
L.N. 58 of 1999;
L.N. 426 of 2007;
L.N. 331 of 2008.
Amended by:
L.N. 36 of 2010;
L.N. 102 of 2012;
L.N. 109 of 2014.
Substituted by:
L.N. 243 of 2022.

FIRST SCHEDULE
[Regulation 12]

1. Maximum Tariff for a Residential Premises Service

A Residential Premises Service shall be billed, for any period or periods as the Corporation may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(*a*) the service fee in respect of every tenement, for every service installed in the tenement, shall not exceed fifty-nine Euro (€59) per annum;

(*b*) the tariff for water consumption shall not exceed:

(i) for any quantity not exceeding thirty-three cubic meter (33 m^3) per person per annum residing in the tenement……..one point three nine six five Euro (€1.3965) per one cubic meter (1 m^3);

(ii) for any quantity exceeding the said quantity of thirty-three cubic meter (33 m^3) per person per annum residing in the tenement……..five point one three nine five Euro (€5.1395) per one cubic meter (1 m^3).

2. Methodology for the Calculation of Tariffs for the Provision of a Residential Premises Service

(1) The Corporation shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the consumption tariff in item (1)(b) on a *pro rata* basis:

Provided that:

(*a*) the amount which is billed by the Corporation for a calendar year shall not exceed the amounts derived from the application of the Maximum Tariff established by the Regulator in accordance with article 27 of the Water Services Corporation Act and within the limits prescribed in item 1; and

(*b*) the Corporation shall keep the Regulator informed of any methodology it adopts in calculating and billing the consumption tariff on a *pro rata* basis.

(2) Notwithstanding the provisions of item 2(1)(a) and that the Corporation

may adopt an adjustment mechanism to ensure compliance with the provisions of item 2(1)(a), any bill issued by the Corporation, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the Corporation, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the Corporation shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the Corporation is unable to obtain such a reading of the actual annual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Residential Premises Service is only provided for a part of a calendar year, the Maximum Consumption Tariff shall be computed by applying the cumulative thresholds referred to in item (1)(b) proportionately to the days during which a Residential Premises Service is actually provided by the Corporation, such that the units (cubic meter) (m^3) referred to in item 1(b) shall be divided by the number of days in a calendar year and applied accordingly to the days during which a Residential Premises Service is actually provided.

SECOND SCHEDULE

[Regulation 12]

Added by:
L.N. 6 of 1981.
Amended by:
L.N. 60 of 1988;
L.N. 53 of 1990;
L.N. 105 of 1994;
L.N. 142 of 1997.
Substituted by:
L.N. 58 of 1999;
L.N. 426 of 2007;
L.N. 331 of 2008;
Amended by:
L.N. 36 of 2010.
L.N. 108 of 2015.
Substituted by:
L.N. 243 of 2022.

1. Maximum Tariff for a Non-Residential Premises Service

A Non-Residential Premises Service shall be billed, for any period or periods as the Corporation may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(*a*) the service fee for every tenement, for every service installed in the tenement, shall not exceed one hundred thirty Euro (€130) per annum;

(*b*) the tariff for the consumption of water shall not exceed:

(i) for any quantity not exceeding one hundred sixty-eight cubic meter (168 m^3) per annum……. one point nine nine five zero Euro (€1.9950) per one cubic meter (1 m^3);

(ii) for any quantity from one hundred sixty-eight cubic meter

(168 m^3) per annum up to forty thousand cubic meter (40,000 m^3).…….two point three seven five zero Euro (€2.3750) per one cubic meter (1 m^3);

(iii) for any quantity exceeding the said quantity of forty thousand cubic meter (40,000 m^3) per annum…….. one point six six two five Euro (€1.6625) per one cubic meter (1 m^3).

2. Methodology for the Calculation of Tariffs for the Provision of a Non-Residential Premises Service

(1) The Corporation shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the consumption tariff for a Non-Residential Premises Service in item 1 on a *pro rata* basis, such that the Corporation shall also be entitled to apportion the relative thresholds in each of the consumption tariffs referred to in item 1 to specific billing periods throughout a calendar year at its discretion, and apply such thresholds accordingly, on a *pro rata* basis:

Provided that the Corporation shall keep the Regulator informed of any methodology it adopts in calculating and billing the consumption tariffs on a *pro rata* basis.

(2) Any bill issued by the Corporation for a Non-Residential Premises Service, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the Corporation, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the Corporation shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the Corporation is unable to obtain such a reading of the actual annual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Non-Residential Premises Service is only provided for a part of a calendar year, the maximum consumption tariffs shall be computed by applying the cumulative thresholds referred to in item 1(b) proportionately to the days during which a Non-Residential Premises Service is actually provided by the Corporation, such that each of the units (cubic meter) (m^3) referred to in item 1(b) shall be divided by the number of days in a calendar year and applied accordingly to the applicable billing period during which a Non-Residential Premises Service is actually provided.

THIRD SCHEDULE
[Regulation 12]

Added by:
L.N. 36 of 2010.
Amended by:
L.N. 109 of 2014.
Substituted by:
L.N. 243 of 2022.

THIRD SCHEDULE
Regulation 12

1. Maximum Tariff for a Domestic Premises Service

A Domestic Premises Service shall be billed, for any period or periods as the Corporation may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(*a*) the service fee in respect of every tenement, for every service installed in the tenement, shall not exceed fifty-nine Euro (€59) per annum;

(b) the tariff for water consumption shall not exceed:

(i) for any quantity not exceeding thirty-three cubic meter (33 m^3) per annum…….. two point one eight five zero Euro (€2.1850) per one cubic meter (1 m^3);

(ii) for any quantity exceeding the said quantity of thirty-three cubic meter (33 m^3) per annum…… five point one three nine five Euro (€5.1395) per one cubic meter (1 m^3).

2. Methodology for the Calculation of Tariffs for the Provision of a Domestic Premises Service

(1) The Corporation shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the Consumption Tariff in item 1(b) on a *pro rata* basis:

Provided that:

(*a*) the amount which is billed by the Corporation for a period of a calendar year shall not exceed the amounts derived from the application of the Maximum Tariff as established by the Regulator in accordance with article 12 of the Water Services Corporation Act and within the limits prescribed in item 1; and

(*b*) the Corporation shall keep the Regulator informed of any methodology it adopts in calculating and billing the consumption tariff on a *pro rata* basis.

(2) Notwithstanding the provisions of item 2(1)(a) and that the Corporation may adopt an adjustment mechanism to ensure compliance with the provisions of item 2(1)(a), any bill issued by the Corporation, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the Corporation, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the Corporation shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the Corporation is unable to obtain such a reading of the actual annual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Domestic Premises Service is only provided for a part of a calendar year, the maximum consumption tariff shall be computed by applying the cumulative thresholds referred to in item 1(b) proportionately to the days during which a Domestic Premises Service is actually provided by the Corporation, such that the units (cubic meter) (m^3) referred to in item 1(b) shall be divided by the number of days in a calendar year and applied accordingly to the days during which a Domestic Premises Service is actually provided.

FOURTH SCHEDULE
[Regulation 16]

Added by: L.N. 210 of 2017. Substituted by: L.N. 243 of 2022.

1. Maximum Tariff for Highly Polished Reclaimed Water

In every calendar year, the service fees and the tariffs for water consumption of highly polished reclaimed water shall not exceed the following fees and tariffs:

(*a*) the service fee in respect of access to highly polished reclaimed water distribution system shall not exceed twenty-five Euro (€25);

(*b*) the tariff for highly polished reclaimed water consumption shall not exceed:

(i) for any quantity not exceeding two thousand five hundred cubic meter (2,500 m^3) per annum……..twenty cents (€0.20) per one cubic meter (1 m^3);

(ii) for any quantity exceeding the said quantity of two thousand five hundred cubic meter (2,500 m^3) but not more than five thousand cubic meter (5,000 m^3) per annum……..sixty cents (€0.60) per one cubic meter (1 m^3);

(iii) for any quantity exceeding the said quantity of five thousand cubic meter (5,000 m^3) per annum……..eighty cents (€0.80) per one cubic meter (1m^3):

Provided that the tariff related to the first block of two thousand five hundred cubic meter (2,500 m^3) for all consumers of highly polished reclaimed water for agricultural purposes shall be free of charge until such time as when the Minister responsible for energy and water services so orders that the tariff provided for in sub-paragraph (i) enters into effect:

Provided further that the tariff bands which shall be applicable on a per holding basis for the highly polished reclaimed water supplied for agricultural purposes shall be as follows:

Holding Size (ha)	Holding Units	Volumetric quantity for which the lowest tariff rate shall be applicable (m^3)	Volumetric quantity for which the highest tariff rate shall be applicable (m^3)
≤ 0.50	1	2,500	5,000
0.51 – 1.00	2	5,000	10,000
1.01– 1.50	3	7,500	15,000
1.51 - 2.00	4	10,000	20,000
2.01 - 2.50	5	12,500	25,000
2.51 - 3.00	6	15,000	30,000
3.01 - 3.50	7	17,500	35,000
3.51 - 4.00	8	20,000	40,000
4.01 - 4.50	9	22,500	45,000
4.51 - 5.00	10	25,000	50,000
5.01- 5.50	11	27,500	55,000
5.51- 6.00	12	30,000	60,000

For holding units in excess of 6ha, the volumetric quantities for which the tariff rates shall be applicable shall be calculated on a *pro rata* based on the per holding unit allocation.

2. Methodology for the Calculation of Tariffs for Highly Polished Reclaimed Water

(1) The Corporation shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the tariff for highly polished reclaimed water in item 1 on a *pro rata* basis:

Provided that:

(*a*) the amount which is billed by the Corporation for a period of a calendar year shall not exceed the amounts derived from the application of the Maximum Tariff as established by the Regulator in accordance with article 27 of the Water Services Corporation Act and within the limits prescribed in item 1; and

(*b*) the Corporation shall keep the Regulator informed of any methodology it adopts in calculating and billing the consumption tariff on a *pro rata* basis.

(2) Notwithstanding the provisions of item 2(1)(a) and that the Corporation may adopt an adjustment mechanism to ensure compliance with the provisions of item

2(1)(a), any bill issued by the Corporation, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the Corporation, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the Corporation shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the Corporation is unable to obtain such a reading of the actual annual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where highly polished reclaimed water is only provided for a part of a calendar year, the maximum consumption tariff shall be computed by applying the cumulative thresholds referred to in item 1(b) proportionately to the days during which highly polished reclaimed water is actually provided by the Corporation, such that the units (cubic meter) (m^3) referred to in item 1(b) shall be divided by the number of days in a calendar year and applied accordingly to the days during which highly polished reclaimed water is actually provided.