# SUBSIDIARY LEGISLATION 545.05

## WATER SERVICES (ESTABLISHMENT OF PENALTIES) REGULATIONS

8th February, 1994

*LEGAL NOTICE 17 of 1994, as amended by Legal Notice 426 of 2007.*

Citation.

**1.** The title of these regulations is the Water Services (Establishment of Penalties) Regulations.

Interpretation. Cap. 355.

**2.** In these regulations, unless the context otherwise requires, "the Act" means the Water Services Corporation Act.

Offences against article 43 of the Act. *Amended by: L.N. 426 of 2007.*

**3.** Any person found guilty of an offence against the provisions of article 43 of the Act shall, in the case of a first conviction, be liable to fine (*multa*) of not less than two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37) but not exceeding four thousand and six hundred and fifty-eight euro and seventy-five cents (€4,658.75) and, in the case of a second or subsequent conviction, to a fine (*multa*) of not less than nine thousand and three hundred and seventeen euro and forty-nine cents (€9,317.49) but not exceeding eighteen thousand and six hundred and thirty-four euro and ninety-nine cents (€18,634.99).

Offences against articles 50 and 51 of the Act. *Amended by: L.N. 426 of 2007.*

**4.** Any person found guilty of an offence against the provisions of article 50 or of article 51 of the Act shall, in the case of a first against conviction, be liable to a fine (*multa*) of not less than four hundred and sixty-five euro and eighty-seven cents (€465.87) but not exceeding two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37) and, in the case of a second or subsequent conviction, to a fine (*multa*) of not less than four thousand and six hundred and fifty-eight euro and seventy-five cents (€4,658.75) but not exceeding nine thousand and three hundred and seventeen euro and forty-nine cents (€9,317.49).

Offences against other provisions of the Act. *Amended by: L.N. 426 of 2007.*

**5.** Any person found guilty of any offence against the Act not being an offence against the provisions of articles 43, 50 or 51 of the same Act shall, in the case of a first conviction, be liable to a fine (*multa*) of not less than two hundred and thirty-two euro and ninety-four cents (€232.94) but not exceeding one thousand and three hundred and ninety-seven euro and sixty-two cents (€1,397.62) and, in the case of a second or subsequent conviction, to a fine (*multa*) of not less than three thousand and four hundred and ninety-four euro and six cents (€3,494.06) but not exceeding five thousand and eight hundred and twenty-three euro and forty-three cents (€5,823.43).

Continuing offences. *Amended by: L.N. 426 of 2007.*

**6.** Where any offence referred to in the foregoing regulations is a continuing offence the court shall, in addition to the fine (*multa*) prescribed in the said regulations, award an additional fine of not less than one hundred and sixteen euro and forty-seven cents (€116.47) but not exceeding one thousand and one hundred and sixty-four euro and sixty-nine cents (€1,164.69) for every day, or

part thereof, during which the continuance shall have subsisted, sohowever that the fine (*multa*) for the continuance of the offence and the fine (*multa*) awarded under the said regulations shall not exceed, in the aggregate, twenty-three thousand and two hundred and ninety-three euro and seventy-three cents (€23,293.73).

Saving higher punishment.

**7.** The punishments laid down in these regulations shall apply saving any other higher punishment to which the offender may be subject under any other law.