

[Legal Notice No. 94]

SOLOMON ISLANDS WATER AUTHORITY ACT 1992
(No. 16 of 1992)

SOLOMON ISLANDS WATER AUTHORITY
(EXEMPT PROPERTIES) REGULATIONS 1995

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**THE SOLOMON ISLANDS WATER AUTHORITY
(EXEMPT PROPERTIES) REGULATIONS 1994**

IN exercise of the powers conferred by section 57 of the Solomon Islands Water Authority Act, 1992, I, JOHN FISANGO, Minister of Transport, Works and Utilities, do hereby make the following Regulations -

**PART I
PRELIMINARY**

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|---|---------------------|
| <p>1. These Regulations may be cited as the Solomon Islands Water Authority (Exempt Properties) Regulations 1995.</p> | <p>Citation.</p> |
| <p>2. In these Regulations unless the context otherwise requires -
“Determination” means a decision by the Authority under section 28 of the Act relating to the setting of fees and charges for the ensuing charging period.</p> | <p>Definitions.</p> |

**PART II
LAND EXEMPT FROM SERVICE CHARGES**

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| <p>3. (1) Properties which, in the view of the Authority, fall within the classifications outlined in Regulation 4, shall be entitled, on application to and approval by, the Authority, to exemption of water service charges and sewerage service charges.</p> <p>(2) Those properties which, after approval by the Authority, are granted exemption under sub-regulation (1) are still liable;</p> <p>(a) to pay fees and charges (other than service charges) for the provision of water and sewerage services as gazetted by the Authority;</p> <p>(b) to pay fees and charges (other than service charges) for water supplied as gazetted by the Authority;</p> <p>(c) to pay additional fees and charges (other than service charges), where sewer is connected, as gazetted by the Authority.</p> | <p>Extent of exemption.</p> |
| <p>4. The following classes of properties shall be entitled to the exemptions as outlined in Regulation 3 -</p> <p>(a) land which is vested in the Crown, or in a public body, or in trustees, and is used for a public cemetery or for a public reserve or park;</p> | <p>Exempt properties classification.</p> |

- (b) land which belongs to any public charity, and is used or occupied by the charity for its purposes;
- (c) land which is used or occupied solely for the purposes of, or connected with, a baby health centre, day nursery, kindergarten or amenities for the aged not conducted for private gain;
- (d) land which is vested in the Crown, or in a public body, or in trustees, and is used solely for the purposes of a free public library;
- (e) land owned by the Crown that, except in the case of land leased to a caretaker at a nominal rental, is not leased by the Crown to any person for private purposes;
- (f) land which belongs to a religious body and which is occupied and used in connection with -
 - (i) any church or other building used or occupied for public worship; or
 - (ii) any building used or occupied solely as the residence of a minister of religion in connection with any such church or building; or
 - (iii) any building used or occupied for the purposes of religious teaching or training; or
 - (iv) any building used or occupied solely as the residence of the official head or the assistant official head or both, of any religious body;
- (g) land which -
 - (i) is unoccupied; and
 - (ii) is not supplied with water from any water of the Authority and is not connected to any sewer of the Authority; and
 - (iii) has been determined, by the local council, to be unsuitable for the erection of a building because of flooding or landslip;
- (h) land which is unoccupied and which is below high-water mark of any tidal water;
- (i) public market areas, drill grounds, sports grounds, gardens or children's playgrounds provided by a council.

**PART III
EXCEPTIONS**

5. The exemptions applicable to the classes of properties listed in Regulation 4 do not apply to -

Exceptions.

- (a) land within a public reserve or park that is the subject of a lease, licence or other authority under which a person carries on a trade or business;
- (b) land that is vested in the Crown or a public body and is leased to any person for private purposes;
- (c) land used or occupied by the Crown in connection with an undertaking declared by proclamation published in the Gazette to be a commercial or industrial undertaking for the purposes of these Regulations;

**PART IV
MISCELLANEOUS**

6. Anything done for the purposes of the provisions of the Water Supply Act is to be taken to have been done for the purposes of the corresponding provision of these Regulations.

Savings.

Dated at Honiara this twenty-eighth day of August, 1995.

JOHN FISANGO
Minister of Transport, Works & Utilities

