NATIONAL WATER AND SEWERAGE AUTHORITY (AMENDMENT) BILL, 2025

EXPLANATORY NOTES

This Bill seeks to amend the National Water Sewerage Authority Act Chapter 208 and contains 20 clauses.

Clause 1 provides for the short title and commencement and for the Minister to bring the Bill into force by Order published in the *Gazette*.

Clause 2 amends section 2 of the principal Act by repealing and replacing some terms used throughout the Act, namely "watercourse", "waterworks" and inserts new terms such as "Commission", "water supply service", "Unit" and "sewerage service".

Clause 3 inserts a new provision 2A to declare the Authority a public utility under the Public Utilities Regulatory Commission Act and for the cessation of the Authority's function relating to the management of water resources.

Clause 4 repeals and replaces section 3 of the principal Act which mandates the Government to promote a national policy for water supply sewerage supplies and sewerage services in Grenada.

Clause 5 repeals and replaces section 6 of the principal Act, which addresses the revised functions of the Authority so that it relates to the provision of potable water and sewerage services. The Authority is required to prepare and submit estimates of the future water supply services and sewerage disposal to the Commission.

Clause 6 amends section 7 (1) of the principal Act to mandate the Authority to provide to the public a satisfactory supply of potable water for domestic purposes and a satisfactory supply of water for agricultural, industrial and commercial purposes.

Clause 7 repeals and replaces section 11 of the principal Act by saving all existing rights of the Authority to use, abstract, manage and control the flow of water upon the terms of their grant or other lawful authority under which they are held. The provision also empowers the Unit and the Authority to enter into a service agreement. If any dispute arises concerning the terms of the service agreement the Commission shall seek to resolve the dispute.

Clause 8 repeals section 12 of the principal Act.

Clause 9 repeals section 13 of the principal Act.

Clause 10 amends section 17 of the principal Act to empower the Authority after consultation with the Unit to take steps or carry out works to protect its water supply services or sewerage services after the Authority gives notice to the owner of the land.

Clause 11 amends section 23 of the principal Act.

Clause 12 amends section 27 of the principal Act to mandate the Authority to make recommendations to the Commission to establish water supply and sewerage areas by reference to defined limits or some other specific description. In cases where it is proposed to establish those areas, the Commission must publish them in the *Gazette*.

Clause 13 repeals and replaces section 27A of the principal Act by empowering the Authority subject to the Public Utilities Commission Act to levy and collect charges or fees for providing water supply and sewerage services at rates approved by the Commission.

Clause 14 repeals section 28 of the principal Act.

Clause 15 amends section 30 of the principal Act.

Clause 16 amends section 34 of the principal Act deleting the word "Authority" in subsection (1) and replacing it with the word "Commission".

Clause 17 repeals sections 36, 37, 38 and 39 of the principal Act (Catchment areas).

Clause 18 repeals sections 44, 45, 46, 47, 48, and 49 of the principal Act in keeping with the revised mandate of the Authority.

Clause 19 amends section 52 by deleting provisions which are inconsistent with the revised mandate of the Authority.

Clause 20 repeals section 54.

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Sen. the Hon. Claudette Joseph
ATTORNEY-GENERAL

NATIONAL WATER AND SEWERAGE AUTHORITY (AMENDMENT) BILL, 2025

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Amendment of section 2 of principal Act
3. Insertion of new section 2A in principal Act
4. Amendment of section 3 of principal Act
5. Repeal and replacement of section 6 of principal Act
6. Amendment of section 7 of principal Act
7. Repeal and replacement of section 11 of principal Act
8. Repeal of section 12 of principal Act
9. Repeal of section 13 of principal Act
10. Amendment of section 17 of principal Act
11. Amendment of section 23 of principal Act
12. Amendment of section 27 of principal Act
13. Repeal and replacement of section 27A of principal Act
14. Repeal of section 28 of principal Act
15. Amendment of section 30 of principal Act
16. Amendment of section 34 of principal Act
17. Repeal of sections 36, 37, 38, and 39 of principal Act
18. Repeal of sections 44, 45, 46, 47, 48, and 49 of principal Act
19. Amendment of section 52 of principal Act
20. Repeal of section 54 of the principal Act

NATIONAL WATER AND SEWERAGE AUTHORITY (AMENDMENT) BILL, 2025

GRENADA

ACT NO. OF 2025

AN ACT to amend the National Water and Sewerage Authority Act Chapter 208 and for related matters.

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives and by the Authority of the same as follows—

Short title and commencement

1. (1) This Act may be cited as the

NATIONAL WATER AND SEWERAGE AUTHORITY (AMENDMENT) ACT, 2025,

and shall be read and construed as one with the National Water and Sewerage Authority Act Chapter 208, (hereinafter referred to as the "principal Act").

(2) This Act shall come into operation on a date to be fixed by the Minister by Order published in the *Gazette*.

Amendment of section 2 of principal Act

2. Section 2 of the principal Act is hereby amended as follows—

(a) by deleting the definitions of, "watercourse" and "water supply service"; and

(b) by inserting the following new definitions in alphabetical sequence—

""**Commission**" means the Public Utilities Regulatory Commission established under section 4 of the Public Utilities Regulatory Commission Act;

"**sewerage service**" includes the removal of sewerage by pipe of any domestic, commercial, governmental, industrial or other building and the collection, transportation, treatment and disposal of such sewage;

"**Unit**" means the Water Resources Management Unit established pursuant to section 7 of the Water Resources Management Regulation Act;

"**watercourse**" includes all rivers, streams, ditches, gullies, culverts, dykes and passages through which water flows, whether on the surface or underground, except water mains and sewers; and

"**water supply service**" means potable water supply service.".

Insertion of new section 2A in principal Act

3. The principal Act is amended by inserting immediately after section 2, the following new section—

"**Declaration of Authority as a public utility under the Public Utilities Regulatory Commission Act and cessation of Authority's function in relation to the management of water resources**

2A (1) The Authority is hereby declared to be a public utility under the Public Utilities Regulatory Commission Act No. 20 of 2016, in accordance with section 3 of that Act and, as such, the Commission shall have regulatory authority over the functions of the Authority.

(2) As from the date of operation of the Water Resources Management and Regulation Act, the Authority shall cease to perform any function in relation to the management of the water resources in Grenada and as such, said function shall be vested in the Unit, pursuant to the provisions of the Water Resources Management and Regulation Act.".

Amendment of section 3 of the principal Act

4. Section 3 of the principal Act is hereby repealed and replaced as follows—

"**National policy for water supply and sewerage services**

3. Subject to the statement of policy established under section 4 of the Water Resources Management and Regulation Act, the Government shall promote a national policy for water supply services and sewerage services in Grenada and shall so discharge its functions in respect of the following matters, through the Authority, to secure the effective execution of that policy relating to—

(a) the provision of water supply services; and

(b) sewerage and the treatment and disposal of sewerage and other effluents.".

Repeal and replacement of section 6 of principal Act

5. Section 6 of the principal Act is hereby repealed and replaced as follows—

"**Functions of the Authority**

6. (1) The Authority shall be responsible for the provision of water supply services and sewerage services in Grenada and as such shall—

(a) distribute, supply and sell potable water for public and private purposes; and

(b) be responsible in any way for maintaining, developing, constructing and administering any sewerage works and sewerage services.

(2) Without prejudice to the provisions of subsection (1), the Authority shall—

(a) manage and improve the sewerage systems in Grenada;

(b) carry out surveys of consumption and demand for water supply services in Grenada;

(c) prepare and submit to the Commission, estimates of the future water supply services and sewerage disposal requirements of any district or area;

(d) formulate proposals for submission to the Commission for meeting the existing and future water supply or sewerage disposal requirements of any district or area.

(e) carry out surveys of the demand for sewerage facilities;

(f) investigate and make recommendations to the Commission relating to the improvement preservation, operation and utilisation of sewerage facilities, and the provision of additional sewerage facilities;

(g) furnish to the Commission, such information relating to the provision of water supply services, sewerage services or sewerage facilities as is available;

(h) subject to the provisions of the Public Utilities Regulatory Commission Act, levy and collect fees, rates and charges for water supply services and sewerage services and for all other services performed and facilities provided by the Authority;

(i) subject to the provision of the Public Finance Management Act, borrow money or obtain credit in Grenada or any other country; or

(j) create, make, draw, accept, endorse, issue, discount, buy, sell, negotiate and deal with bills, notes, warrants, coupons, stock, debentures and other negotiable or transferable instruments.".

Amendment of section 7 of principal Act

6. Section 7 of the principal Act is hereby amended as follows—

(a) by deleting subsection (1) and substituting therefor the following—

"(1) Subject to the provisions of the Water Resources, Management and Regulation Act, the Authority shall provide to the public, a satisfactory supply of potable water for domestic purposes and a potable or otherwise satisfactory supply of water for agricultural, industrial and commercial purposes and for such other purposes as may be prescribed by the Minister."; and

(b) by deleting subsection (2).

Repeal and replacement of section 11 of principal Act

7. Section 11 of the principal Act is hereby repealed and replaced as follows—

"**Existing rights**

11. (1) Subject to subsection (2) and section 12 of the Water Resources Management and Regulation Act, all existing rights of the Authority to use, abstract, manage and control the flow of water are hereby saved upon the terms of their grant or other lawful authority under which they are held.

(2) Upon the date of commencement of this Act and subject to the provisions of the Water Resources Management and Regulation Act, the Unit shall enter into a service agreement with the Authority, for the use or control of any body of water by the Authority in the executing of its functions under this Act.

(3) Any issues or dispute which arises between the Unit and the Authority, in relation to any terms of the service agreement, shall be referred to the Commission, and the Commission shall seek to resolve same in accordance with the powers conferred on it under the Public Utilities Regulatory Commission Act.".

Repeal and section 12 of principal Act

8. Section 12 of the principal Act is hereby repealed.

Repeal of section 13 of principal Act

9. Section 13 of the principal Act is hereby repealed.

Amendment of section 17 of principal Act

10. Section 17 of the principal Act is amended by deleting the chapeau and substituting therefor the following—

"Where after consultation with the Unit, the Authority considers it necessary to protect its water supply services or sewerage services, the Authority may, after giving reasonable notice to the owner of the land concerned, construct and maintain upon the land such works as the Authority considers necessary or desirable for—"."

Amendment of section 23 of principal Act

11. Section 23 of the principal Act is amended in subsection (2) as follows—

(a) by deleting the word "and" where it appears immediately after the words "Chapter 263,"; and

(b) by deleting the full stop after the word "Regulations" and substituting the following ", and the Water Resources Management and Regulation Act"."

Amendment of section 27 of principal Act

12. Section 27 of the principal Act is hereby amended as follows—

(a) by deleting subsection (1) and substituting therefor the following—

"(1) For the purpose of the performance of its duties under section 6(3)(*h*), the Authority shall recommend to the Commission, the establishment of water supply and sewerage areas by reference to defined limits or some other specific description.";

(b) by deleting subsection (2) and substituting therefor the following—

"(2) The Commission shall by order, published in the *Gazette*, establish water supply and sewerage areas based on recommendations made to the Commission by the Authority under subsection (1), and every such order shall contain a reference to the defined limit or other specific description of each area that it concerns."; and

(c) by deleting subsection (3) and substituting therefor the following—

"(3) The Commission may, on the recommendation of the Authority, from time to time, vary the limits or description of any area established by order under subsection (2).".

Repeal and replacement of section 27A of principal Act

13. Section 27A of the principal is hereby repealed and replaced as follows—

"**Levying and collection of rates, charges and fees**

27A. Subject to sections 21 and 22 of the Public Utilities Regulatory Commission Act, the Authority shall levy and collect such charges or fees for the provision of water supply and sewerage services at such rates as may be approved by the Commission in accordance with the provisions of that Act.".

Repeal of section 28 of principal Act

14. Section 28 of the principal Act is hereby repealed.

Amendment of section 30 of principal Act

15. Section 30 of the principal Act is hereby amended by deleting the chapeau and substituting therefor the following—

"Subject to the provisions of the Public Utilities Regulatory Commission Act, charges or fees in respect of the provision of water supply and sewerage services may be fixed.".

Amendment of section 34 of principal Act

16. Section 34 of the principal Act is amended in subsection (1) by deleting the word "Authority" where it appears and substituting therefor, the word, "Commission".

Repeal of section 36, 37, 38, and 39 of principal Act

17. Sections 36, 37, 38, and 39 of the principal Act are hereby repealed.

Repeal of sections 44, 45, 46, 47, 48, 49 of principal Act

18. Sections 44, 45, 46, 47, 48, and 49 of the principal Act are hereby repealed.

Amendment of section 52 of principal Act

19. Section 52 of the principal Act is amended as follows—

(a) in subsection (1), by deleting paragraphs (l),(p),(q), and (s); and

(b) by deleting subsection (8).

Repeal of section 54 of principal Act

20. Section 54 of the principal Act is hereby repealed.

Passed by the House of Representatives this day of , 2025.

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Clerk to the House of Representatives

Passed by the Senate this day of , 2025.

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Clerk to the Senate