

# METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE (No. 2).

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No. 105 of 1978.

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**AN ACT to amend section 90 of the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1978.**

[Assented to 30th November, 1978.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Act (No. 2)*, 1978.

Short title  
and citation.

(2) In this Act the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1978, is referred to as the principal Act.

Reprinted as  
approved for  
reprint  
13/12/77  
as amended  
by Act No. 19  
of 1978.

(3) The principal Act as amended by this Act may be cited as the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1978.

Section 90  
amended.

2. Section 90 of the principal Act is amended—

(a) as to subsection (3)—

- (i) by deleting the passage “vertically.”, in the last line, and substituting the passage “vertically;”;
- (ii) by deleting the paragraph designations “(b)” and “(c)” in line nine and line fourteen respectively; and
- (iii) by adding two further interpretations as follows—

(b) the expression “consumption year”, as it applies to a separately assessed piece of land supplied through a meter, means the period of approximately twelve months which commences on the day (being a day between the fifteenth day of January and the twenty-ninth day of June) which is in any year fixed by the Board (having regard to the power of the Board under the by-laws to fix a stated date within the prescribed period allowed for reading a meter as the date on which the reading is to be taken to have been made) as the day on which the meter attached to the water service supplying that land is to be taken to have been read for the purpose of ascertaining the water consumed during the consumption year then ending, and which terminates on the day so fixed for a like purpose in the succeeding year; and

“rating year” means the period of twelve months commencing on and from the first day of July in any year. ;

- (b) as to subsection (4) thereof—
- (i) by inserting immediately before the word “rateable”, in line four, the words “any separately assessed piece of”;
  - (ii) by deleting the words “for the year”, in line eight, and substituting the words “applicable to the rating year then next following”;
  - (iii) by deleting the words “payable by measure”, in lines thirteen and fourteen and substituting the word “paid”;
  - (iv) by inserting the words “by measure during the consumption year which terminates in the rating year then next following” immediately after the word “supplied” in line fifteen; and
  - (v) by deleting the words “year in which that Table is to apply”, in lines nineteen and twenty, and substituting the words “rating year then next following”;
- (c) by adding a new subsection, to stand as subsection (5), as follows—

(5) The water rate by way of a prescribed standard charge unrelated to the rateable value of the land, together with a prescribed standard allowance of water in respect of that rate and a standard price for water supplied by measure in excess of that allowance, imposed in respect of rateable land used for residential purposes pursuant to the provisions of subsection (4) of this section as those provisions applied immediately prior to the coming into operation of the

Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Act (No. 2), 1978, shall, for the avoidance of doubt and notwithstanding that the allowance and the price relates to water supplied prior to the imposition of that price, be taken to apply and always to have applied to the consumption year in respect of the land in question which terminates next after the first day of July, 1978. ; and

(d) by adding a new subsection, to stand as subsection (6), as follows—

(6) In respect of each residence situate on rateable land used for residential purposes that was supplied with water through a meter during the consumption year in respect of that land which terminates next after the first day of July, 1978, the Board shall—

(a) upon ascertaining the quantity of water supplied for that part of the consumption year which included the period up to the thirtieth day of June, 1978, before determining whether any charge is to be payable for water supplied by measure allow a rebate of—

(i) the actual quantity of water consumed; or

(ii) a quantity of water calculated at the rate of twelve and one-half kilolitres for each month or part of a month in which water was consumed prior to the first day of July, 1978 in the consumption year appropriate to that land,

whichever is the lesser quantity, before taking into account the standard allowance of one hundred and fifty kilolitres

prescribed by the by-laws and assessing the quantity of water that is to be paid for by measure at the standard price;

- (b) where a charge has been or is made, and is paid, in respect of the part of the consumption year which included the period up to the thirtieth day of June, 1978 that does not take into account the rebate referred to in paragraph (a) of this subsection, give credit for that rebate against any subsequent demand until that rebate has been taken into account; and
  - (c) charge only to the nearest whole kilolitre less than the quantity measured and adjusted, where the quantity consumed can not be expressed in terms of whole kilolitres. .
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