

CAYMAN ISLANDS



**Water Authority Act
(2018 Revision)**

WATER AUTHORITY (AMENDMENT) REGULATIONS, 2021

(SL 4 of 2021)

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PUBLISHING DETAILS



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In exercise of the powers conferred by section 70 of the Water Authority Act (2018 Revision) the Cabinet makes the following Regulations —

Citation

1. These Regulations may be cited as the Water Authority (Amendment) Regulations, 2021.

Amendment of regulation 2 of the Water Authority Regulations (2018 Revision) - definitions

2. The *Water Authority Regulations (2018 Revision)*, in these Regulations referred to as the “principal Regulations”, are amended in regulation 2 by inserting in the appropriate alphabetical sequence the following definition —
“**statutory fee**” means the portion of the cost of the statutory functions exercised by the Authority under the Act to be paid to the Authority by a service provider;”.

General amendment of the principal Regulations - deletion of the words “subregulation”, “subregulations”, “paragraph” and “paragraphs” and substitutions

3. The principal Regulations are amended by deleting the words “subregulation”, “subregulations”, “paragraph” and “paragraphs” wherever they appear in the regulations specified in Column 1 of the Schedule and substituting the words “paragraph”, “paragraphs”, “subparagraph” and “subparagraphs” in the manner specified in Column 2 of the Schedule.

Amendment of regulation 27 - provisions for all classes of water operators

4. The principal Regulations are amended in regulation 27 by deleting the words “sections 47, 49 and paragraph (n) of section 70(1)” and substituting the words “sections 47 and 49”.

Amendment of regulation 44 - energy adjustment factor

5. The principal Regulations are amended in regulation 44 by repealing paragraph (3) and substituting the following paragraphs —

“(3) For the purpose of dealing with inflation, the base price shall be adjusted annually on 1 July of each year (the “Adjustment Date”) by subtracting an amount equal to fifty-five percent (55%) of the base price and adding to the resulting sum an amount equal to —

$$0.20 * BP * (CI \text{ current}/CI_{\text{base}}) + 0.35 * BP * (US_{\text{current}}/US_{\text{base}})$$

where:

BP = the base price;

CI current = the value of the Cayman Islands Consumer Price Index (CICPI) at 31 December immediately preceding the Adjustment Date;

CIbase = the value of the Cayman Islands Consumer Price Index (CICPI) at 31 December 2018, which is 104.2;

UScurrent = the value of the United States of America Producer Price Index (USPPI) at 31 December immediately preceding the Adjustment Date;

USbase = the value of the United States of America Producer Price Index (USPPI) at 31 December 2018, which is 207.8; and

USPPI means the US Producer Price Index for Industrial Commodities less Fuels, Not Seasonally Adjusted - Series ID: WPU03T15M05, as published by United States Department of Labor.



- (3A) For the purposes of paragraph (3), “**base price**” means —
- (a) the sewerage charges specified in regulation 45;
 - (b) the septage charges specified in regulation 46; or
 - (c) the water charges specified in regulation 49 including the statutory fee under regulation 49(3).”.

Amendment of regulation 45 - sewerage charges

6. The principal Regulations are amended in regulation 45(1) by deleting the words “connected are \$1.607” and substituting the words “connected are \$1.672”.

Amendment of regulation 46 - septage charges

7. The principal Regulations are amended in regulation 46(1) by deleting the words “emptier is \$16.354” and substituting the words “emptier is \$17.018”.

Amendment of regulation 49 - water charges

8. The principal Regulations are amended in regulation 49 as follows —
- (a) by repealing paragraph (1) and substituting the following paragraph —

“(1) The charges to be paid to the Authority for the supply of desalinated water via the public water supply system are a monthly charge in accordance with the following categories of consumer or user —

(a) Domestic	\$4.34 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter;
(b) Truckers	\$4.34 per cubic metre for the first twelve cubic metres and \$4.61 for each cubic metre thereafter;
(c) Water Company	\$5.25 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter;
(d) Commercial and Industrial	\$5.25 per cubic metre for the first twelve cubic metres and \$5.57 for each cubic metre thereafter;
(e) Municipal (Public Authority)	\$4.72 per cubic metre for the first twelve cubic metres and \$5.03 for each cubic metre thereafter;

(f) Water sold in Cayman \$5.99 per cubic metre;
Brac to all categories of
users through the piped
water distribution system

(g) Water sold in Cayman \$7.55 per cubic metre.”; and
Brac by truck

(b) by inserting after paragraph 49(2) the following paragraph —

“(3) The statutory fee shall be \$0.22 per cubic metre of water supplied to all consumers and users which shall be calculated by the Authority and paid by the service provider to the Authority on a monthly basis, or at such less frequent intervals as the Authority may direct.”.



SCHEDULE

General amendments to references in the principal Regulations

(regulation 3)

Column 1 Regulations amended	Column 2 Extent of amendment
4(4)(a) and (b), 5(3), 5(5), 7(3), 12(3), 14(4), 18(2), 20(2), 20(3), 23(5), 24(2), 27(2), 27(6), 27(7), 28(5), 32(4), 32(8), 32(9), 32(10), 33(2), 33(3), 33(4), 34(2), 34(3), 34(6), 37(2), 39(2), 41(1), 41(2), 42(1), 42(2), 44(4), 48(2), 49(2), 52(2), 52(6), 52(7), 53(2)	Delete the word “subregulation” and substitute the word “paragraph”.
16	Delete the word “paragraphs” and substitute the word “subparagraphs”.
23(4), 52(2)(b)	Delete the word “subregulations” and substitute the word “paragraphs”.
23(7), 33(5)(e)(i)	Delete the word “paragraph” and substitute the word “subparagraph”.
23(7), 32(7), 33(5)(ii), 35(4), 36(2)	Delete the word “subregulation” wherever it appears and substitute the word “paragraph”.

Made in Cabinet the 19th day of January, 2021.

Kim Bullings
Clerk of the Cabinet