

2021-12-09

OBJECTS AND REASONS

This Bill would amend the *Barbados Water Authority Act*, Cap. 274A

- (a) to make provision for water protection zones;
- (b) to provide for institutional strengthening of the authority; and
- (c) to provide for related matters.

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Cap. 274A
3. Amendment of section 5 of Cap. 274A
4. Repeal and replacement of section 9 of Cap. 274A
5. Repeal and replacement of section 13 of Cap. 274A
6. Repeal and replacement of section 14 of Cap. 274A
7. Insertion of Part IVA into Cap. 274A
8. Repeal and replacement of section 27 of Cap. 274A
9. Amendment of section 28 of Cap. 274A
10. Amendment of section 29 of Cap. 274A
11. Deletion of section 31 of Cap. 274A
12. Insertion of section 33 into Cap. 274A
13. Amendment of Schedules to Cap. 274A
14. Consequential amendments

FIRST SCHEDULE

SECOND SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Barbados Water Authority Act*.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Barbados Water Authority (Amendment) Act, 2021*.

Amendment of section 2 of Cap. 274A

2. *Section 2 of the Barbados Water Authority Act, Cap. 274A, in this Act referred to as the principal Act, is amended by inserting the following definitions in alphabetical order:*

“adit” means an excavation on a horizontal or inclined plane extending from a well, bore-hole or shaft;

“aquifer” means an underground layer of water-bearing permeable rock or unconsolidated materials such as gravel, sand, or silt from which groundwater can be extracted;

“bore hole” means a shaft or bore-hole of any diameter constructed solely by a recognised method of boring;

“ground water” or “underground water” means the natural water that flows within the aquifers or which saturates geological formations of rock or soil beneath the surface of the earth which occur in sufficient quantities to be of beneficial use;

“territorial waters” has the meaning assigned to it by section 2 of the *Barbados Territorial Waters Act, Cap. 386*;

“water resources” means the springs, rivers, surface water in water zones, underground water, coastal waters and the territorial waters of Barbados;

“well” includes any bore-hole, adit, shaft or excavation.”.

Amendment of section 5 of Cap. 274A

3. *Section 5 of the principal Act, is amended by deleting subsection (1) and substituting the following:*

“(1) The functions of the Authority are

- (a) to obtain and analyse information and maintain records of the total water resources of Barbados;
- (b) to manage, allocate and monitor the surface and ground water resources of Barbados with a view to ensuring development, conservation and protection of the ground water resources in the public interest;
- (c) after consultation with such persons as the Minister may direct or otherwise, to prepare and submit to the Minister from time to time, proposals for the establishment of efficient, co-ordinated and economical water supply and sewerage systems capable of meeting the need for water and sewerage services throughout Barbados;
- (d) to prepare details of schemes for the development and protection of surface and ground water resources and for the supply of water and sewerage services, and to construct, maintain and operate such schemes;
- (e) to regulate and keep under constant review, the quality, reliability and availability of water supply and sewerage services in accordance with the requirements and standards issued to the Authority by the Environmental Protection Department in writing;
- (f) to keep under review the rates to be charged for those services;
- (g) to control and regulate the collection, production, treatment, storage, transmission, distribution and use of water for public purposes;
- (h) to design, construct, acquire, provide, operate and maintain water works for the purposes of treating or supplying water for public purposes;

- (i) to design, construct, acquire, provide, operate and maintain sewerage works for the purpose of receiving, treating and disposing of sewage;
- (j) to control and regulate the disposal of sewage through sewerage plants or waste treatment plants that are not part of the Authority's systems;
- (k) to conduct research programmes and prepare statistics for its purposes;
- (l) to disseminate information and advice with respect to the management, collection, production, transmission, treatment, storage, supply and distribution of water and where applicable, sewage;
- (m) to provide such facilities as may be necessary for training and educating its employees and to facilitate research by employees;
- (n) to advise the Minister on the matters referred to in paragraph (e) and on such other matters relating to water supply and sewerage services as the Minister refers to the Authority;
- (o) to monitor and ensure compliance with this Act and to ensure the conservation and protection of water resources in the public interest; and
- (p) to perform such other functions as the Minister assigns or as the Authority considers necessary or expedient for its purposes.”.

Repeal and replacement of section 9 of Cap. 274A

4. *The principal Act is amended by deleting section 9 and substituting the following:*

“Appointment of Chief Executive Officer

9.(1) The Board may, with the approval of the Minister, appoint a person to be the Chief Executive Officer of the Authority, who shall be an employee of the Authority.

(2) The Chief Executive Officer is subject to the directions of the Board and is responsible to the Board for the execution and management of the affairs of the Authority.”.

Repeal and replacement of section 13 of Cap. 274A

5. *The principal Act is amended by deleting section 13 and substituting the following:*

“Inspection of premises

13.(1) The Authority, its employees and agents may for the purposes of the Authority, at any time that is reasonable in the circumstances, enter into any premises or into any road and

- (a) perform or carry out surveys;
- (b) perform or carry out examinations;
- (c) perform or carry out tests on water, soils, rock, plant or any other related material;
- (d) collect samples of water, soil, rock, plant or any related material;
- (e) perform investigations of premises and wells;
- (f) perform inspections of premises and wells; or

- (g) make any arrangements as it considers necessary for the Authority to effectively discharge its functions under paragraphs (a) to (f).
- (2) Subject to section 14(3), the Authority is liable for any damage occasioned in the performance of its functions under subsection (1).”.

Repeal and replacement of section 14 of Cap. 274A

6. *The principal Act is amended by deleting section 14 and substituting the following:*

“Powers of Authority

14.(1) The Authority, its employees and agents may for any of the purposes of the Authority

- (a) enter upon premises for the purpose of laying pipes or for using the water of any stream, spring or pond thereon;
- (b) divert or impound the water from any stream, spring, aquifer, well or pond;
- (c) open and break up the surface soil of any road;
- (d) open and break up any sewer, drain or tunnel in or over any road;
- (e) perform or carry out surveys;
- (f) perform or carry out examinations;
- (g) perform or carry out tests on water, well, groundwater, soils, rock, plant or any other related material;
- (h) collect samples of water, groundwater, soil, rock, plant or any related material;
- (i) perform investigations pursuant to this Act;

- (j) perform inspections pursuant to this Act; or
 - (k) do such other things as it considers necessary for its purposes.
- (2) The Authority is liable to make reasonable compensation to the owner or occupier of premises or the road authority, as the case may be, for the use of the water of any stream, spring, well or pond or for any damage occasioned in the performance of its functions under this section.
- (3) Compensation payable under this section and section 12 may be in such amount as is agreed upon between the owner or occupier and the Authority or as is assessed in accordance with the *Land Acquisition Act*, Cap. 228.”.

Insertion of Part IVA into Cap. 274A

7. *The principal Act is amended by inserting immediately after Part IV the following:*

“PART IVA

WATER REVIEW MANAGEMENT COMMITTEE, WELLS AND
RELATED MATTERS

Water Review Management Committee

18A.(1) There is hereby established a Water Review Management Committee.

(2) The provisions of the *Second Schedule* shall have effect in relation to the constitution of the Committee and to matters related thereto.

Protection from personal liability

18B. No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Board, Committee or employee of the Authority in respect of any act done *bona fide* in pursuance of their duties, functions or instructions given pursuant to this Act.

Application to use a well

18C.(1) No person shall

- (a) sink any well for agricultural, commercial or any other purpose;
- (b) deepen an existing well for the purpose of tapping, intercepting or abstracting ground water therefrom;
- (c) convert or substantially alter a well into a well for the tapping, interception or abstraction of ground water;
- (d) abstract ground water from any well;
- (e) carry out any substantial alteration to a well or change the use of a well

unless he first obtains a licence from the Committee so to do.

(2) Any alteration which increases or is designed to increase or is capable of increasing the horizontal area or the depth of a well or the power utilised to raise water from a well or the discharge of water so raised shall be deemed to be a substantial alteration within the meaning of paragraph (d) of subsection (1).

(3) A person shall make an application in writing for a licence in such form as the Committee requires and the Committee shall notify the person of its determination with respect to the application in writing.

- (4) An employee of the Authority shall have the power
 - (a) to inspect the land, premises or well prior to granting a licence under subsection (3); and
 - (b) to inspect any well which is subject to a licence under this Act.
- (5) Where an employee of the Authority acts under subsection (4) he shall submit a report to the Committee.
- (6) Where the Committee determines to grant a licence, that licence shall be subject to such terms and conditions as the Committee sees fit, and shall be valid for the period stated therein unless it is revoked or cancelled under subsection (8).
- (7) The Chairman of the Committee shall issue the licence on behalf of the Committee.
- (8) The Committee may revoke or suspend a licence and accordingly the use of the well attached to the licence where
 - (a) the person issued the licence contravenes any term or condition contained in the licence; or
 - (b) the existence or use of that well negatively affects the water supply, water resources, underground water or the marine environment in Barbados.
- (9) For the purposes of this section,
“inspect” means
 - (a) investigating and checking the structure of the wellhead protection to ensure that a proper wellhead protection is provided to stop surface water and foreign objects falling into the well;
 - (b) performing soil tests, water quality tests or such other required tests on the land or premises with the well;

- (c) taking water or soil samples for testing;
- (d) taking copies of documents, taking photographs and taking videos or voice recordings; or
- (e) anything related to or necessary to effect the requirement of paragraphs (a) to (d).

Power of general suspension

18D.(1) The Committee may

- (a) by order, suspend the extraction of water from wells in respect of which a licence is issued under this Act or saved under section 18H, where there is a drought or where natural changes cause a shortage of water for any purpose, which in the opinion of the Committee makes it necessary to suspend the extraction of water for the period stated in the order;
- (b) by an instrument in writing, revise or alter the quantity of water which a person who has been granted a licence under section 18C is authorised to abstract from a well, in such manner as appears to the Committee to be equitable and appropriate in light of the environmental conditions which are impacting the water supply; or
- (c) by an instrument in writing, revise or alter the quantity of water which a person to whom section 18H applies is authorised to abstract from a well, in such manner as it appears to the Committee to be equitable and appropriate taking into consideration the environmental conditions which are impacting the water supply.

(2) Where an order made under subsection (1)(a) creates an offence, the order may provide for such offences to be tried summarily or on indictment and the order may prescribe the following penalties:

- (a) in the case of an offence triable summarily, a fine not exceeding \$10 000 or imprisonment for a term of 5 years or to both; or
- (b) in the case of an offence triable on indictment, a fine not exceeding \$25 000 or imprisonment for a term of 10 years or to both.

Misuse of a well

18E.(1) The Committee may where any well

- (a) is used or caused or permitted to be used in contravention of any of the provisions of this Act; or
- (b) though not situate in any prohibited area or zone as defined pursuant to section 27, is used or caused or permitted to be used for the disposal of sewage water or other waste, in a manner which in the opinion of the Committee constitutes or may constitute a danger to health or leads or may lead to the contamination of any source of water whatever

by notice in writing served on the owner of the land on which the well is situate, require the owner to plug or fill the well, or to cause such well to be plugged or filled, and to provide, or caused to be provided, such other means as the Committee may approve.

(2) Where the owner of the land fails to comply with any requirement of subsection (1), the Committee may require an employee of the Authority to enter on the land and plug or fill the well and do such other works as may be required to provide some other satisfactory method of disposing of the sewage water or other waste.

(3) The expenses of the Authority reasonably incurred in the exercise of the powers conferred by subsection (2) shall be a debt due by the owner of the land in question to the State and, without prejudice to any other lawful means of recovery, may be recovered on complaint before a magistrate by the Authority.

Offence

18F. A person who knowingly makes an application under this Part that is false in any material particular, is guilty of an offence and is liable on summary conviction to a fine of \$1 000 or to imprisonment for 12 months or to both.

Savings

18G.(1) A licence issued to a person to construct or use a well under the *Underground Water Control Act*, Cap. 283 shall remain valid for a period of 12 months from the commencement of the *Barbados Water Authority (Amendment) Act, 2021*, and thereafter that licence shall be deemed to be expired.

(2) A person to whom subsection (1) refers shall apply to the Committee for a licence in accordance with this part on or before the expiration of the period specified in subsection (1).”.

Repeal and replacement of section 27 of Cap. 274A

8. *The principal Act is amended by deleting section 27 and substituting the following:*

“Defining of Areas of public water supply

27.(1) The Board may by order

- (a) define, zone, **restrict** or prohibit the use of areas across Barbados which contribute to the water resource of Barbados and which contribute to the public water supply in Barbados; and
- (b) define and regulate the permissible uses of the areas referred to in paragraph (a).

(2) Any person who

- (a) swims or bathes in a source of public water supply defined, zoned, regulated or prohibited under subsection (1);
- (b) swims or bathes in a source of public water supply;
- (c) places, deposits, discharges or allows to remain therein any material of any kind that is likely to impair the quality of water in a source of public water supply defined, zoned, regulated or prohibited under subsection (1);
- (d) places, deposits, discharges or allows to remain therein any material of any kind that is likely to impair the quality of water in a source of public water supply; or
- (e) does any act or takes water so that the amount of water in a source of public water supply unduly diminished,

is guilty of an offence and is liable on summary conviction to a fine of \$10 000 or imprisonment for 12 months or both and to a further fine of \$100 for each day or part thereof during which the offence continues after a conviction is obtained.

(3) The Board shall receive reports with respect to a breach of subsection (2) from any Minister, Authority, company, Agency, person

or public officer required to ensure or monitor compliance with *Barbados Water Authority (Water Zones) Order, 2021*.

(4) Where an order made under subsection (1) creates an offence, the order may provide for such offences to be tried summarily or on indictment and the order may prescribe the following penalties:

- (a) in the case of an offence triable summarily, a fine not exceeding \$10 000 or imprisonment for a term of 5 years or to both; or
- (b) in the case of an offence triable on indictment, a fine not exceeding \$25 000 or imprisonment for a term of 10 years or to both.

(5) The Minister may amend or revoke an order made under subsection (1).”.

Amendment of section 28 of Cap. 274A

9. Section 28 of the principal Act is amended by

(a) *deleting paragraphs (n) and (o) of subsection (2) and substituting the following:*

- “(n) prescribing matters related to water zones and ground water and prescribing standards and matters for the protection of water zones and ground water;
- (o) prescribing matters related to the construction of a well and the use of a well;
- (p) prescribing the security to be furnished by persons applying for the supply of water or sewerage services; and
- (q) prescribing the conditions for discontinuing the supply of water or sewerage services.”;

(b) *deleting subsection (4) and substituting the following:*

“(4) Where regulations made under subsection (2) creates an offence, those regulations may provide for such offences to be tried summarily or on indictment and the regulations may prescribe the following penalties

(a) in the case of an offence triable summarily, a fine not exceeding \$10 000 or imprisonment for a term of 5 years or to both; or

(b) in the case of an offence triable on indictment, a fine not exceeding \$25 000 or imprisonment for a term of 10 years or to both.”;

(c) *deleting subsection (5).*

Amendment of section 29 of Cap. 274A

10. *The principal Act is amended by deleting section 29 and substituting the following:*

“Directions of Minister

29.(1) The Minister may, after consultation with the Chairman of the Board appointed under paragraph (2) of the *First Schedule*, give to the Board directions of a general or specific nature relating to the policy to be followed by the Board in the performance of the functions of the Authority; and the Board shall give effect to the directions.

(2) The Minister may give directions of a general or specific nature relating to the policy to be followed with respect to matters relating to the functions of the Committee or Garbage and Sewage Contribution Relief Board, and the Committee or Garbage and Sewage Contribution Relief Board shall give effect to the directions.”.

Deletion of section 31 of Cap. 274A

11. *Section 31 of the principal Act is deleted.*

Insertion of section 33 into Cap. 274A

12. *The principal Act is amended by inserting immediately after section 32 the following section:*

“Application to the Town and Country Planning Act

33. The Minister and the Chief Town Planner shall have regard to an order made under section 27 and any regulations made under section 28 in the application of the provisions of the *Town and Country Planning Act*, Cap. 240.”.

Amendment of Schedules to Cap. 274A

13. The principal Act is amended
- (a) in paragraph 8 of the *First Schedule* by deleting the words “General Manager” wherever they appear and substituting the words “Chief Executive Officer”;
 - (b) by numbering the *Second Schedule* to the Act as the *Third Schedule* to that Act; and
 - (b) by inserting the *Second Schedule* set out in the *First Schedule* to this Act as the *Second Schedule* to the principal Act.

Consequential amendments

14. *The enactments specified in the first column of the Second Schedule are amended in the manner specified in the second column.*

FIRST SCHEDULE

(Section 13)

“SECOND SCHEDULE

(Section 18A)

Water Review Management Committee

Constitution

1. The Water Review Management Committee shall consist of
 - (a) the Permanent Secretary, Ministry of Transport, Works and Water Resources *ex officio* or his nominee;
 - (b) the Chief Executive Officer of the Barbados Water Authority or his nominee;
 - (c) the Director of the Environmental Protection Department, *ex officio* or his nominee;
 - (d) the Permanent Secretary, Ministry of Agriculture, *ex officio* or his nominee;
 - (e) the Chief Medical Officer, *ex officio* or his nominee;
 - (f) the Permanent Secretary, Ministry of Environment and National Beautification, *ex officio* or his nominee; and
 - (g) Chief Executive Officer of the Barbados Agriculture Development Marketing Corporation or his nominee.

Chairman

2. The Minister shall by an instrument in writing appoint a member to be Chairman and member to be Deputy Chairman.

Resignation

3.(1) The member appointed as chairman or deputy chairman may resign the post of chairman or deputy chairman by instrument in writing addressed to the Minister.

(2) A resignation takes effect from the date on which the Minister receives the instrument.

Temporary leave of absence

4. The Minister may, in writing, grant a leave of absence to a member.

Temporary appointment

5. Where a member is, or is likely to be, unable to perform the functions of his office for more than 30 days, whether as a result of absence from Barbados, illness or other cause or reason, the Minister may appoint a person to act in the place of the member.

Committees

6.(1) The Committee may appoint committees of its members or other persons to assist it with the proper discharge of its functions.

(2) Where a person who is not a member of the Committee is appointed to a committee, the Committee may, with the approval of the Minister, determine the remuneration and allowances to be paid to the person.

Meetings

7.(1) The Committee shall meet as often as may be necessary or expedient for the transaction of its business and such meetings shall be held at such places and times and on such days as the Committee may determine.

- (2) The Chairman, or in the event of his absence from Barbados or inability to act as such, the person acting as Chairman, may at any time call a special meeting of the Committee and shall call such a meeting within 7 days of the receipt by him of a request for the purpose addressed to him in writing and signed by not less than 3 members.
- (3) The Chairman, or in his absence, the person acting as Chairman, shall preside at all meetings of the Committee.
- (4) Where the Chairman is absent from a meeting, the members present shall elect a member from among their number to preside at the meeting.
- (5) Five members shall constitute a quorum.
- (6) The decisions of the Committee shall be by a majority of votes and in a case where the voting is equal, the Chairman or other person presiding at the meeting shall, in addition to an original vote, have a casting vote.
- (7) Minutes of each meeting shall be kept by the person performing the functions of secretary to the Committee or by such other officer as the Committee appoints for the purpose and shall be confirmed by the Committee and signed by the Chairman at the next meeting of the Committee.

Attendance of non-members at meetings

8. The Committee may invite any person to attend any of its meetings to assist or advise it with respect to any matter under its consideration, but a person so invited does not have a right to vote.

Committee may regulate proceedings

9. Subject to the provisions of this *Schedule*, the Committee may regulate its own proceedings.”.

SECOND SCHEDULE*(Section 14)*

Enactment	Amendments
<i>Health Services (Building) Regulations, 1969 (S.I. 1969 No. 233)</i>	<p>Regulation 4 is deleted and the following is substituted:</p> <p>“4.(1) The Minister may, in respect of an application made under these Regulations</p> <p>(a) refuse the application and where he refuses the application he shall, within forty-two days after receipt of such application, give to the applicant notice of his refusal; or</p> <p>(b) grant an application and where he determines it is required, attach such conditions to the grant of the application as he thinks fit; or</p> <p>(c) grant conditional approval and any notice of the latter shall specify the conditions which need to be satisfied before approval may be granted.</p> <p>(2) Where the Minister grants an application under paragraph (1)(b) and attaches conditions thereto he shall require compliance with the provisions of the <i>Barbados Water Authority (Water Zones) Order, 2021</i> as a condition of the grant.”.</p>
<i>Health Services (Hotels) Regulations, 1969 (S.I. 1969 No. 231)</i>	<p>Regulation 4 is amended by inserting the following new paragraph immediately after paragraph (3):</p> <p>“(4) Where an application is granted under paragraph (3) it shall be a condition of that approval that the person complies with the provisions of the <i>Barbados Water Authority (Water Zones) Order, 2021</i>.”.</p>

Health Services (Lodging House and Barracks) Regulations, 1970
(S.I. 1970 No. 74)

Regulation 4 is amended in paragraph (2) by deleting sub-paragraph (e) and substituting the following:

“(e) the maximum number of persons that may be accommodated at any one time in each room of the lodging house or barrack; and

“(f) that the person shall as a condition of the grant, comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021.*”.

Health Services (Private Hospitals, Nursing Homes, Senior Citizen' Homes and Maternity Homes) Regulations, 2005
(S.I. 2005 No. 58)

1. Regulation 5 is amended by inserting the following new paragraph immediately after paragraph (2):

“(3) Where the Minister approves an application under paragraph (2), he shall notify the person that the person shall comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021.*”.

2. Regulation 6 is amended in paragraph (2) by deleting sub-paragraphs (c) and (d) and substituting the following:

“(c) state the number of persons that may be accommodated on the premises; and

(d) require compliance with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*; and

(e) be kept affixed to some conspicuous place in the premises to which it relates.”.

Health Services (Restaurants) Regulations, 1969 (S.I. 1969 No. 234)

Regulation 5 is deleted and following is substituted:

“5.(1) Restaurants shall, to the satisfaction of the Medical Officer of Health, be provided with

(a) adequate toilet facilities which shall be conveniently located, accessible, sanitary

and in good repair;

(b) adequate hand washing facilities which shall include

(i) wash basins;

(ii) running water;

(iii) a constant supply of soap in a suitable container or dispenser;

(iv) individual towels or other hand-drying equipment; and

(v) a suitable receptacle for used towels and waste material;

(c) an adequate supply of potable water; and

(d) compliance with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*.”.

Marine Pollution Control Act, Cap. 392A

1. Section 5 is amended by inserting the following new subsection after immediately subsection (2):

“ (3) A marine pollution control inspector discharging the functions set out in this Act, shall also monitor compliance with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021* and report any breaches thereof to the Barbados Water Authority or to the police, as the case may be.”.

2. Section 7 is amended in subsection (2) by deleting paragraphs (a) and (b) and substituting the following:

“(a) prohibiting, wholly or partly the release of the pollutant;

(b) requiring the diminution or cessation of the release of the pollutant; or

(c) monitoring compliance with the provisions of the *Barbados Water Authority (Water Zones) Order, 2016*.”.

Town and Country Planning Act, Cap. 240

1. Section 5 of the Act is amended by inserting the following new subsection after subsection (2):

“(3) The Chief Town Planner shall have regard to the *Barbados Water Authority (Water Zones) Order, 2021* and any other order or regulations made under the *Barbados Water Authority Act, Cap. 274A* which affects the distribution and use of land in Barbados in the preparation of the Development Plan.”.

2. Section 23 of the Act is amended by inserting the following new subsection after subsection (2):

“(3) The Chief Town Planner shall have regard to the *Barbados Water Authority (Water Zones) Order, 2021* and any other order or regulations made under the *Barbados Water Authority Act, Cap. 274A* in the application of the provisions of this Act to

(a) the grant of permission to develop land or to sub-divide land for agricultural, housing, or commercial development; or

(b) the grant of permission to improve, alter, change or demolish an existing structure.”.

Town and Country Planning Development Order, 1972 (S.I. 1972 No. 75)

Part I of the *Second Schedule* is amended by:

(a) deleting paragraph (3), in the second column headed “CONDITIONS”, under the heading “Class I - Development for housing purposes” and substituting the following:

“(3) Where the circumstances so require, comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*.

(4) All standard conditions.”;

(b) deleting paragraph (5), in the second column headed “CONDITIONS”, under the heading “Class II - Development for commercial purposes” and substituting the following:

“(5) Where the circumstances so require, comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*.

(6) All standard conditions.”;

(c) deleting paragraph (5), in the second column headed “CONDITIONS”, under the heading “Class III - Development for Industrial purposes” and substituting the following:

“(5) Where the circumstances so require, comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*.

(6) All standard conditions.”;

(d) deleting paragraphs (4) and (5), in the second column headed “CONDITIONS”, under the heading “Class IV - Development for agricultural purposes” and substituting the following:

“(4) This permission shall not extend to any Agricultural class I area in any area designated

by the *Barbados Water Authority (Water Zones) Order, 2021* as being in a Zone 1, Exclusion Zone area.

(5) Standard conditions 1, 2, 4, 5, 6 and 9.”; and

(e) deleting paragraph (4) , in the second column headed “CONDITIONS” , under the heading “Class V - Development for agricultural purposes” and substituting the following:

“(4) Where the circumstances so require, comply with the provisions of the *Barbados Water Authority (Water Zones) Order, 2021*.

(5) All standard conditions.”.

Underground Water Control Act, Cap. 283 This Act is repealed.