

agree as to the amount of such compensation the same shall be settled in the manner provided by the *Lands Compensation Act* 1958 as modified by and incorporated with this Act.

Ss. (1A) inserted by No. 8712 s. 6, amended by No. 9996 s. 5 (b) (i).

(1A) For the removal of doubts, it is hereby declared that in this section and any corresponding previous enactment—

- (a) the words “this Act” mean this Act or the corresponding previous enactment and any enactment required to be read and construed therewith;
- (b) the words “waterworks” and “race” include pipe (whether constructed above or below the surface of any ground or water) and aqueduct (whether open or closed); and
- (c) the words “take possession of and appropriate” include “compulsorily take possession of and appropriate”.

Para. (c) inserted by No. 9996 s. 5 (b) (ii).

Para. numbered Ss. (2) by No. 7590 s. 7 (d), amended by No. 10081 s. 5 (1).

(2) Notwithstanding anything contained in this section where the Director-General or the Rural Water Commission is the Authority exercising any of the powers thereby conferred it shall not be necessary to obtain any approval or sanction of the Governor in Council and it shall not be necessary for the Governor in Council to specify the lands upon and through which any race drain dam or reservoir may be constructed and used.

Ss. (3) inserted by No. 9996 s. 5 (c).

(3) The provisions of the *Lands Compensation Act* 1958 relating to the procedure for the taking and appropriation of land are hereby incorporated with this Act and shall be read and construed therewith and shall take effect with regard to any taking or appropriation of land pursuant to this section.

Ss. (4) inserted by No. 9996 s. 5 (c).

(4) For the purposes of this section, in the construction of the *Lands Compensation Act* 1958 unless inconsistent with the context or subject-matter—

“Land” includes any easement, right or privilege in over or affecting the land.

“Minister of Public Works” and “Minister” shall mean an Authority empowered by this section to carry out any work or undertaking.

“Special Act” shall mean this Act.

Ss. (5) inserted by No. 9996 s. 5 (c).

(5) Nothing in sub-section (3) or (4) shall affect the operation of Part VI. of this Act.

An Authority may enter into agreements with owners of land with respect to the provision of water and the construction of works.

S. 307AA inserted by No. 8531 s. 13.

307AA. (1) In this section unless inconsistent with the context or subject-matter—

“Present cost” in relation to completed works means the cost that would have been incurred if a contract for the works had been let at the date of the agreement.

“Works” means water mains, pumping stations, pipelines, reservoirs, storage tanks and any other ancillary equipment.

(2) An Authority may enter into an agreement with the owner of any land providing for the supply of water to such land and the construction or installation of such works as may be specified in the agreement to serve the land concerned either alone or together with other lands.

(3) An agreement under sub-section (2) may *inter alia* make provision for—

- (a) the payment to the Authority by the owner of the land of the whole of the costs of the construction or installation of the works together with the estimated cost of operating any pumping station or works for a period not exceeding five years or such part thereof as the Authority considers reasonable to be paid in respect of such land having regard to the benefit of such works to the land and to any other lands that would be in the opinion of the Authority capable of being served by such works;
- (b) the payment to the Authority by the owner of the land of an amount based on the area of the land and the proposed use to which the land is to be put and assessed by the Authority to be a fair and reasonable contribution towards the cost of the Authority's headworks and distribution systems;
- (c) the payment to the Authority by the owner of the land of—
 - (i) a reasonable proportion of the cost of any works being or to be constructed or installed by the Authority and paid for or to be paid for out of the funds of the Authority; and
 - (ii) a reasonable proportion of the present cost of the construction or installation of completed works constructed or installed by the Authority and paid for out of the funds of the Authority—

which are or after their construction or installation will be available to be connected to and of adequate capacity to serve the land or any part thereof (whether with or without construction or installation of additional works);

- (d) the payment to the Authority by the owner of the land of—
 - (i) a reasonable proportion of the cost of any works being or to be constructed or installed pursuant to an agreement between the Authority and the owner of any other land in the vicinity whether entered into before or after the commencement of the *Local Government (Subdivision of Land) Act 1973*;
 - (ii) a reasonable proportion of the present cost of the construction and installation of completed works constructed or installed pursuant to an agreement between the Authority and the owner of any other land in the vicinity whether entered into before or after the commencement of the *Local Government (Subdivision of Land) Act 1973*—