



# Public Health Act 1936

## 1936 CHAPTER 49

### PART IV

#### WATER SUPPLY.

*Byelaws for preventing waste &c. of water: provisions as to meters and other fittings.*

#### **136 Register of meter to be evidence.**

- (1) Where a local authority supply water under this Act by meter, the register of the meter shall be prima facie evidence of the quantity of water consumed.
- (2) Any question arising between the authority and a consumer with respect to the quantity of water consumed, may, on the application of either party, be determined by a court of summary jurisdiction.
- (3) If the meter on being tested is proved to register incorrectly to any material degree—
  - (a) the meter shall be deemed to have registered incorrectly to that degree since the last occasion but one before the date of the test on which a reading of the index of the meter was taken by the authority, unless it is proved to have begun to register incorrectly to that degree on some later date; and
  - (b) the amount of any refund to be made to, or of any extra payment to be made by, the consumer shall be paid or allowed by the authority or paid by the consumer, as the case may be, and, in the case of an extra payment, may be recovered in the like manner as a water rate.