

CONSUMER PROTECTION (WATER EFFICIENCY) REGULATIONS

[A **Regulation** establishing a legal framework for the achievement and maintenance of a market that is fair, accessible, efficient, sustainable and responsible for the benefit of consumers in relation to water efficiency; (b) reducing and ameliorating any disadvantages experienced in accessing any inefficient water use devices (c) promoting fair and ethical business practices and social, economic and environmental responsibility in consumer markets; and related matters

[**Authority:** The Minister in exercise of the powers conferred on him by section [140] of the [Consumer Protection Act], No 2 of 2018] hereby makes the following Regulations–

Gazetted on: [2026]

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A REGULATION establishing a legal framework for the achievement and maintenance of a market that is fair, accessible, efficient, sustainable and responsible for the benefit of consumers in relation to water efficiency; (b) reducing and ameliorating any disadvantages experienced in accessing any inefficient water use devices (c) promoting fair and ethical business practices and social, economic and environmental responsibility in consumer markets; and related matters

PART I

PRELIMINARY

Section 1 - Citation and Purpose

1. (1) These Regulations may be cited as the *Water Efficiency Regulations, 2025*.

The purpose of this Regulation is to:

- (a) phase out inefficient water use devices;
- (b) promote mandatory adoption of efficient water use technologies;
- (c) support national water demand reduction targets, including a per capita consumption goal of 135 liters per day by 2030; and
- (d) align Grenada's water management framework with the National Adaptation Plan (NAP) 2025–2030 and the National Water Policy.

This section provides for the name of the regulation, its scope, and the purpose which it is designated to serve.

Section 2 - Interpretation

2. In these Regulations -

‘Controlled device’ means an inefficient water device as listed in the First Schedule.

‘Efficient water use device’ means a device for reducing water consumption by the smart use of water resources through water-saving technologies.

‘Greywater reuse system’ means a system which collects, treats, and reuses domestic wastewater from sinks, showers, and laundry, excluding toilet and kitchen sink water, for non-potable purposes like garden irrigation and toilet flushing;

‘person’ includes any entity, natural or juridical, a corporation, partnership, trust or estate, joint stock company, association, syndicate, joint venture, or other unincorporated organization or group, capable of acquiring rights or entering into obligations

‘Planning and Development Authority’ means the Authority as constituted under section 5 (1) of the Physical Planning and Development Control Act No 25 of 2002, and has responsibility regarding planning and development in this Island;

‘Minister’ means the Minister with responsibility for Consumer Affairs or their authorized representative; **Tribunal’** means the Consumer Affairs Tribunal as provided under section 11 of the Consumer Protection Act’

PART II – REGULATORY FRAMEWORK

Section 3 – Prohibitions

3. (1) Effective [date], no person shall

- (a). import
- (b). [export]
- (c). manufacture
- (d). sell or
- (e). place on the market

any controlled device in Grenada. [without a license.

This section provides an overall prohibition on the use of inefficient water use devices, but it will come into force on an effective date (date in the future as to be determined by the powers that be. The following provisions deal with the regulation and phasing out of the devices.

[Section 4 - Licensing

[4. (1) A license as referred to in subsection 1, may be granted by the [Minister] to any person, for the import, export, or sale of controlled devices, [prior to the effective date in section 3]

(2) No person may produce, at any time after the effective date in section 3, any controlled device (except for controlled devices that are transformed or destroyed or produced pursuant to an exemption as specified in this Regulation) in excess of the amount of the determined allowance for those held by that person as approved or exempted by the Minister.]

OR

4A– Mandatory installation of water efficient use devices in new buildings

4A. (1) All new buildings, including residential, commercial, industrial, and government facilities, must:

- (a) contain plans which provide for rainwater harvesting and storage systems
- (b) incorporate efficient water use devices as listed in the Third Schedule;
- (c) ensure plumbing and fixtures comply with standards prescribed by the Bureau of Standards.

(2) All major renovations or retrofits to existing buildings shall, where practicable, include measures in subsection (1).

(3) The Planning and Development Authority shall not grant final approval for construction unless compliance with this regulation has been demonstrated.

This section is optional but is placed here for discussion as to whether the importation, sale, export and other business-related activities of these items should be licenced, or otherwise have a measure of regulation, or to make installation mandatory.

Section 5 - Exemptions

5. (1) Any person who wishes to be exempt from section 3 of this Regulation shall, in writing, apply to the Minister for an exemption.

(2) An application for an exemption made under subsection (1) shall state the reasons for the exemption.

(3) The Minister shall, within [] days of receipt of the application for exemption, determine the application.

(4) In determining the application for exemption, the Minister shall determine his/her own guidelines, and may have regard to -

(a) [extenuating circumstances as the Minister determines as reasonable] [persons under a welfare or social benefits program in Grenada [persons above the age of seventy years];

(b) the condition, location, shape and measurements of the premises; and

(c) physical and environmental safety.

(5) Where it is made to appear to the Minister—

(a) that it is not practicable—

(i) to install an efficient water use device;

the Minister may, subject to such conditions and restrictions as it may think proper to impose, allow the owner or occupier of the building to be exempt from regulation 3 and 4 of these Regulations.

(6). The Minister may provide, in writing, exemptions for persons who are involved in the import, export or use of controlled devices, if these controlled devices are-

(a) medical devices

(b). being exported under a waste management program or

(c.). being transformed into devices to an efficient water [use] device.

(7). Any such exemption shall be valid for [one year] and may be subject to renewal for [one additional year.]

(8) Applications under this section shall be prescribed in such manner as determined by the Minister.

In this section, exemptions are possible from the prohibition in section 3, on the listed grounds, if accepted by the Planning and Development Authority.

There are also exemptions relating to whether these devices under the First Schedule are being used as or part of a medical device, for export under a waste management programme (to facilitate the export of these used devices as opposed to manufacturing for export) or being transformed into efficient water use devices.

Section 6 - Quota system for licensed persons

6. (1). The Minister shall determine and prescribe a quota system on the [manufacture, import and sale] of controlled devices.
- (2). This quota system shall have an annual reduction system as listed in the Second Schedule of these Regulations.

In this section, there is information relating to a quota reduction system, towards the phasing out of controlled devices.

Section 7 – Destruction, transformation and reuse

7. (1). The Minister shall, in collaboration with the Ministry with responsibility for the Environment, provide a designated area for the disposal and destruction of controlled devices.
- (2). Any person may responsibly
- (a). destroy or
 - (b). dispose of
- any controlled devices or part thereof at the designated area referred to in subsection 1.
- (3). Any person may responsibly transform a controlled device to an efficient water use device, [so long as permission has been granted by the Minister.]
- (4) A person may implement a greywater reuse system, provided that they meet public health and safety standards as determined by the Bureau of Standards [Ministry of Health].
- (5) Controlled devices may be transformed into efficient water use devices or repurposed for agricultural irrigation with approval by the [Ministry with responsibility for Agriculture].

The competent authorities will provide guidance and a physical place to collect and aid the destruction or transformation of controlled devices.

PART III – COMPLIANCE AND INCENTIVES

Section 8 - Water Efficiency Partner Certification

8. (1) Every person who has been able to

(a) meet the requirements under the Second Schedule, or

(b) provide goods and services related to the Third Schedule

may apply for a Water Efficiency Partner Certification by the [Minister] [Bureau of Standards].

(2) It shall be a requirement, for persons who provide goods or services relating to the provision of water use devices in Grenada, to acquire an Environmental Compliance Certification to participate in government procurement processes, effective [date].

(3) The Government of Grenada shall require a Water Efficiency Partner Certification for any contractor, plumber, or supplier involved in water related government procurement, school construction, hospitals, and public housing projects.

This certificate acts an incentive for those suppliers who are willing to do business with the Government of Grenada. There may also be some consideration with private enterprises as well.

Section 9 – Labelling

9. (1) Any person involved in the import, export, sale, distribution or any movement shall ensure that controlled devices are labelled.

(2) The label shall clearly indicate that the device is a controlled device under regulation 3 of these Regulation.

(3) All water use devices must carry labels clearly indicating:

(a) water flow rate or consumption (liters per minute/flush);

(b) efficiency class, in accordance with standards prescribed by the Bureau of Standards.

(4) Non-compliant devices shall be prohibited from import or sale.

This label involves consumer protection, to allow persons to know that they are purchasing a controlled device that will eventually become prohibited. The Bureau of Standards will prescribe the form of the label.

Section 10 – Incentives

10. (1) To the maximum extent practicable, controlled devices shall be replaced by efficient water use devices which

(a) minimize water consumption while maintaining or improving performance or

(b) reduce overall risks to human health and the environment.

(2) It shall be the duty of the Minister responsible for Finance to encourage financial institutions, credit unions, cooperatives and other lending institutions to facilitate access to credit to remove controlled devices and install efficient water use devices for any person in Grenada.

(3) Materials, articles and equipment, that are modified or designed for the efficient use of water may be exempt from import duty and any other government levy which would in any way increase their cost.

(4) The Minister responsible for Finance or other appropriate authorities shall endeavor to provide, subject to the provisions of any other relevant law, incentives to the local manufacturers of assistive or adaptive devices for efficient water use related to -

(a) exemptions from custom duty on imported capital equipment.

- (b) exemptions from custom duties on raw materials;
- (c) exemptions from custom duty on materials used to erect, equip, furnish, repair, recycle or efficiently transform efficient water use devices.

(5) The Minister may, in consultation with the Minister with responsibility for Finance-

- (a) enter into contracts, with goods and service providers to ensure that efficient water use devices are used in Grenada;
- (b) prescribe conditions for the receiving of incentives, including accounting measures, compliance measures and standards; and
- (c) shall prescribe remedies for failure to comply with the prescribed conditions contemplated in paragraph (b).

(2) The Minister shall open and maintain a register of all assets bought with incentives and prescribe conditions for the management of such assets.

(3) The Minister may consider additional incentives, such as –

- (a) Duty exemptions for certified efficient devices and materials.
- (b) Rebate programs for households and businesses replacing inefficient devices.

(4) Financing schemes with credit unions and banks for rainwater harvesting systems, drip irrigation, and efficient retrofits and

(5) Support for local manufacturers of efficient devices, including tax credits and simplified procurement.

This section provides various types of incentives that may be considered to enable a higher prevalence of efficient water use device in Grenada and encourage their use.

PART IV – GOVERNMENT AND PRIVATE SECTOR COLLABORATION

Section 11- Public-private partnerships may be formed.

11. (1) Nothing in this Regulation shall preclude the possibility of public-private partnerships or joint ventures in fulfilling the aims and objectives of these Regulations.

(2) Such partnerships and joint ventures may be employed to:

(a) Provide and enable funding when Government owned companies are unable to borrow funds because of fiscal or balance sheet constraints;

(b) Provide access to improved technology, expertise and innovation;

(c). reduce cost and improves service quality for consumers;

(d). bolster social commitment and inclusivity;

(e). deal with matters in relation to [water efficiency, water quality, sewage, sewage treatment, and wastewater management in relation to hotels, gated and private communities];

(f) improved collaboration with regard to community cisterns, leakage monitoring technology, and desalination plants powered by renewable energy. And

(g.) enable efficient and effective responses to customer demands for expanded and improved service.

Enabling private public partnerships can greatly enhance buy in and local efforts towards the change from controlled devices to efficient water use devices.

PART IV – ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

Section 12 - Penalties for non-compliance

12 (1) Any person who contravenes the provisions of these Regulations where there is no previously prescribed penalty, or obstructs any authorized officer in performing their duties under these Regulations, shall be guilty of an offence, punishable with a fine of [] or with imprisonment for a term of [] year[s], or to both.

(2) Notwithstanding subsections (1), the Minister may elect to: -

- (a) provide offenders with timelines to remedy breaches;
- (b) institute administrative penalties, or
- (c) enable technical assistance

for offenders as an initial mechanism for compliance.

(3) Any person who fails to comply with the directions of the Minister under this regulation is liable to the penalty prescribed in subsection (1).

This is the penal section, thus indicating specifically that any contravention of these Regulations will result in either a specific fine, term of imprisonment, or both. Additionally, it provides the remedy that the Competent Authority can restrict the movement of the owner or keeper's animal or may place relevant requirements and conditions as necessary.

Section 13 - Offences committed by companies

13 (1) A body corporate which contravenes these Regulations shall be liable to a fine of not less than [one hundred thousand dollars] nor more than [two hundred and fifty thousand dollars].

(2) If a company commits an offence under these Regulations and it is proved that the offence occurred with the consent or connivance of or was attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body, or any person who was purporting to act in any such capacity, that person, as well as the company, commits the offence..

(3) For the purposes of subsection (1), company also means sole traders, partnerships, trusts, charities, cooperatives, non-profit organizations or any other body which the Planning and Development Authority determines to be a company, whether incorporated or unincorporated.

(4) A company, its director, manager, secretary or officer of the company who contravenes the provisions of these Regulations or obstructs any authorized officer in performing their duties,

This section ensures that companies, sole traders or partnerships, essentially businesses in any form, can also be held liable for actions taken contrary to the Regulations. It also provides that is a defense if a person can prove that they had no knowledge of involvement; those who are held personally liable are also subject to penalties, thus ensuring the provision is effective in being dissuasive from the use of corporate vehicles to exploit areas.

shall be liable to a fine of no less than [] or to imprisonment for a term of [] year [s] or to both.

Section 14 - Right to Appeal

14. (1) Persons who are aggrieved by any decision taken under these Regulations, may, within thirty days from receipt of notice of the decision, appeal in writing to the Tribunal, setting out the grounds of the appeal.

(2) The Tribunal shall operate as prescribed under section 11 of the Consumer Affairs Act.

Section 15 - Rules and Guidelines

15 (1) The Minister may, make Rules or Guidelines prescribing forms, fees and other matters relating to the administration of these Regulations.

(2) Rules and Guidelines may include, but not be limited to-

(a) Water Efficiency Guidelines

(b) national demand reduction targets

(c) greywater reuse standards, and

9d). integration of water efficiency into vocational training curricula.

(3) Rules or Guidelines made under this section may prescribe that any contravention thereof shall constitute an offence punishable on summary conviction, to a fine of [five thousand dollars].

Section 16 – Conflict with other legislation

16. If any provision of this Regulation shall be declared unconstitutional or invalid, such declaration shall not invalidate any other parts thereof which shall remain in full force and effect].

This section ensures the avoidance of conflict with this Act/Regulations and other legislation.

PART V - MISCELLANEOUS

Section 17 - MOUs and Agreements

17 (1) Any institution, agency, Ministry or department in Grenada may enter into Memoranda of Understanding or Agreements with suppliers related to the phase out of controlled devices.

(2) This Memoranda of Understanding or Agreement may take the form prescribed in the Fourth Schedule.

Section 18 - Minister may prescribe guidelines

18. The Minister may provide guidelines related to-

- (a) phasing out of the production of controlled devices;
- (b) transformation of controlled devices;
- (c.) critical uses;
- (d). exemptions;
- (e.). requiring each department, agency, and Ministry in Grenada to conform its procurement procedures to requirements of this Regulation;
- (f). require procurement across all government agencies to prioritize water-efficient devices;
- (f). maximizing the substitution of controlled devices with efficient water use devices and
- (g) any other matter relevant to these Regulations.

Section 19 – Amendment of Schedules

19. The Minister may amend the Schedules to these Regulations by order.

These sections provide guidance that government entities can enter into MOUs and Agreements related to carrying out this Act; it also provides that the Ministry may provide guidelines in addition to this regulation and may amend the Schedules by order.

FIRST SCHEDULE

Controlled devices

- *[Older toilets (manufactured prior to 2020) with high water consumption rates (e.g., 3.5 gallons or more per flush)*
- *[Standard shower heads using 2.5 gallons of water or more per minute]*
- *Outdated faucets, washing machines, dishwashers exceeding efficiency thresholds as determined by the Minister*
- *Any other devices as determined by the Minister.*

SECOND SCHEDULE

Quota system for imports of controlled devices

- 2026 - No more than [] devices per person / [] tons annually
- 2027 –
- 2028 –
- 2029-
- 2030-

Quota system for sales of controlled devices

- 2026 - No more than [] devices per person / [] tons annually
- 2027 –
- 2028 –
- 2029-
- 2030-

THIRD SCHEDULE

Efficient Water Use Devices

- Waterless urinals
- Dishwashers
- Washing machines
- Dual-flush and ultra-low-flow toilets (<1.6 gallons/flush)
- Low-flow shower heads (<2 gallons/minute)
- Faucets with aerators (<1.5 gallons/minute)
- Automatic and sensor taps
- Aerator
- Greywater reuse systems meeting standards

Smart irrigation/drip irrigation systems

FOURTH SCHEDULE

MOU/Agreement with Suppliers related to phase out of controlled devices (SEPARATE ATTACHMENT)