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Original Article

Effect of Legal Actions against People Who do not Pay Their Water Bills on NWSC's Performance

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This study examined the impact of legal actions against customers who fail to pay water bills on the performance of the National Water and Sewerage Corporation (NWSC) in Uganda. Using a mixed-methods approach that included both qualitative and quantitative data, the research assessed the relationship between legal enforcement measures and revenue collection. The findings indicated that a significant percentage of customers (76%) do not understand the water bill payment regulatory law, contributing to revenue loss. Although 62.4% of customers believe that NWSC strictly applies the regulations to enforce payment, over 62.5% admitted that the corporation rarely takes clients to court for non-payment. Grounded in deterrence theory, the study posits that legal penalties can effectively deter non-compliance, enhancing financial sustainability. It highlights the importance of a strong legal framework to ensure timely payments, particularly in the context of increasing urbanization that strains resources. Recommendations include implementing comprehensive awareness programs about billing regulations and strengthening legal processes for debt recovery. The insights from this research aim to improve financial performance and ensure sustainable water service delivery in Uganda.

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INTRODUCTION

The performance of utility companies, particularly in the water sector, is significantly influenced by the legal actions taken against customers who fail to pay their bills. From a theoretical perspective, the deterrence theory suggests that the imposition of legal penalties serves as a deterrent against non-compliance, thereby enhancing revenue collection and operational efficiency (Becker, 1968). This theoretical framework establishes the basis for understanding how legal actions can impact customer behaviour and, consequently, the financial health of water service providers.

Historically, water service providers, such as the National Water and Sewerage Corporation (NWSC) in Uganda, have faced challenges related to revenue collection, leading to financial strain and inefficiencies in service delivery. Research indicates that water utilities lose substantial revenue due to unpaid bills, with estimates suggesting that up to 30% of water revenue can be affected by non-payment (World Bank, 2020). This context highlights the importance of legal mechanisms in ensuring financial sustainability for utilities, particularly in developing regions where resources are limited.

The issue of unpaid water bills is not only a financial challenge but also a significant operational concern for NWSC. Recent statistics indicate that over 25% of NWSC's revenue is lost to non-payment, undermining its ability to maintain and expand service delivery (NWSC, 2023). The ideal situation would involve a robust legal framework that facilitates timely payment of bills, ensuring that the utility can operate effectively and serve the community without interruptions. Increasing urbanization in Uganda exacerbates this challenge, placing additional pressure on already strained resources (Kibombo & Kasamba, 2022).

This study aims to provide empirical evidence regarding the impact of legal actions on NWSC's performance. By examining the correlation between enforcement measures and revenue collection, the research seeks to inform policy decisions and operational strategies. Given the critical role of reliable water services in public health and economic development, it is vital to explore effective management practices in the face of non-payment. This study not only contributes to the existing body of knowledge but also offers practical recommendations for improving financial performance and enhancing service delivery in the water sector.

Statement of the Problem

The problem of unpaid water bills presents a significant challenge for the National Water and Sewerage Corporation (NWSC), leading to financial instability and operational inefficiencies. Despite various initiatives to encourage timely payments, over 25% of the revenue generated by NWSC is lost due to non-payment (NWSC, 2023). This financial shortfall hinders the corporation's ability to provide essential services, maintain infrastructure, and invest in future projects. Without effective legal measures to enforce payment, the sustainability of water services is jeopardized, impacting the quality of service delivered to consumers.

The magnitude of this problem is further illustrated by the increasing demand for water services driven by urbanization. As more people move to urban areas in Uganda, the pressure on existing water supply systems intensifies. Inadequate revenue collection exacerbates the situation, leading to service interruptions and reduced water quality, which can have dire consequences for public health and community well-being (Kibombo & Kasamba, 2022). The ideal scenario would involve a legal framework that effectively encourages payment

compliance, thereby enhancing the financial viability of NWSC.

Given the critical nature of water services and the challenges posed by non-payment, this study seeks to explore the effectiveness of legal actions against defaulters. Understanding how these measures influence NWSC's performance is essential for developing targeted strategies to improve revenue collection. By addressing this issue, the research aims to contribute valuable insights that can inform policymakers and utility managers in their efforts to enhance operational efficiency and ensure sustainable water service delivery in Uganda.

LITERATURE REVIEW

Theoretical Framework

Agency Theory

In the context of examining the effect of legal actions against individuals who do not pay their water bills on the performance of the National Water and Sewerage Corporation (NWSC), Agency Theory stands out as the most appropriate theoretical framework. This theory addresses the relationship between principals (stakeholders) and agents (water service providers), emphasizing the need for effective management and accountability in service delivery.

According to Bhimani (2018), Agency Theory posits that the separation of ownership and management can lead to conflicts of interest. In the case of NWSC, the stakeholders—comprising the public, government, and regulatory bodies—expect the agency (NWSC) to act in their best interests by ensuring that water services are delivered efficiently and that revenues are collected consistently. The agency's role involves managing water resources while ensuring that users pay for the services provided, thereby sustaining the financial viability of the organization.

The theory is relevant to the Study in the following ways;

Financial Incentives and Accountability: The implementation of legal actions against non-payers aligns with Agency Theory as it creates a mechanism for accountability. By enforcing payment, NWSC can secure the necessary revenues to operate effectively, ensuring that stakeholders' interests are safeguarded. The agency must demonstrate financial prudence by managing collections efficiently, thereby enhancing its performance and service delivery.

Stakeholder Expectations: Stakeholders expect NWSC to not only provide water services but also to manage those services in a way that maximizes revenue while minimizing losses from unpaid bills. Agency Theory highlights the importance of aligning the incentives of the agents with the expectations of the principals. In this context, the legal enforcement of payment acts as a tool to align these interests, motivating the agency to prioritize revenue collection and enhance operational performance.

Performance Measurement: Agency Theory also emphasizes the necessity of measuring performance through financial metrics. As NWSC adopts stricter legal measures against defaulters, the impact on its financial health can be quantified. This quantification allows stakeholders to assess whether the agency is fulfilling its obligations effectively. Improved financial performance, as a result of enhanced collection practices, reflects positively on the agency's management capabilities.

Risk Management: The theory also discusses the risks associated with the principal-agent relationship, particularly the risk of opportunistic behaviour by the agent. By implementing legal actions, NWSC mitigates the risk of revenue loss due to non-payment, thus enhancing its ability to maintain service quality and operational efficiency. This proactive approach is essential for sustaining water supply services and ensuring that the agency can meet its financial obligations.

Encouraging Compliance: Through the lens of Agency Theory, the legal framework serves as a deterrent against non-compliance among water users. The anticipation of legal repercussions for failing to pay water bills encourages users to fulfil their financial obligations, thereby increasing the overall revenue base of NWSC. This compliance is crucial for the agency to maintain its service delivery standards and invest in infrastructure improvements.

Therefore, Agency Theory provides a robust framework for understanding the dynamics between NWSC, its stakeholders, and water users in the context of legal actions against non-payers. By focusing on accountability, performance measurement, and risk management, this theory illuminates the critical aspects of water service delivery and financial sustainability. The enforcement of legal measures not only aligns the interests of the agency with those of its stakeholders but also enhances the overall performance of NWSC, ensuring that it can continue to provide essential water services to the community.

A review of related literature

According to a 2016 study by Mbula, Memba, and Njeru on the impact of accounts receivable on the financial performance of Kenyan businesses funded by government venture capital, there is a positive correlation between these businesses' financial performance and their pursuit of legal action against defaulters of their meters and bills. Similarly, Ikechukwu and Nwakaego (2015) studied the impact of bringing legal action against customers who disobey water regulation policies as well as the water company's performance. The scholars demonstrated that the national water supply company in Nigeria had a considerable and favourable increase in income as a result of using legal procedures to collect money from bill defaulters and other misbehaviours.

Geographical Context gap: Most of the studies, such as those by Mbula et al. (2016) and Ikechukwu and

Nwakaego (2015), focus on specific countries like Kenya and Nigeria. There is limited research on the impact of legal actions in the context of Uganda, particularly regarding NWSC. The unique socio-economic and regulatory environment in Uganda necessitates localized research to understand how legal actions affect water service providers in this context.

Additional research revealed that the loosening of regulatory requirements for users who obtain water services illegally has a small but detrimental impact on the water company's profitability. According to a study by Venkataramana et al. (2013) on the impact of receivables management on working capital and profitability of national electricity companies in India, using legal processes to manage electricity bills significantly increased the company's revenue and profitability.

Water Sector Focus: Many studies, including Venkataramana et al. (2013), examine the electricity sector rather than the water supply sector. The dynamics and regulatory frameworks governing water services can differ significantly from those in electricity provision. This study will specifically explore the water sector, providing insights that are not adequately covered in existing literature.

Lazaridis and Tryfonidis (2006) found that there is a negative correlation between the profitability (as determined by gross operating profit) of target revenues per financial year and consumers who do not pay their water bills and accounts receivables during the collection period. These unfavourable findings suggest that businesses can increase their revenue collections by reducing the proportion of their clientele who fail to pay their invoices. Similar findings were made by Deloof (2013), who discovered a strong inverse association between the revenue losses incurred by companies from bill defaulters and their gross operating income (GOI) as a proxy for profitability.

Regulatory Influence: The reviewed studies do not thoroughly investigate how specific legal

frameworks and regulations governing water services impact the effectiveness of legal actions against defaulters. For instance, while Lazaridis and Tryfonidis (2006) note the correlation between profitability and non-payment of bills, they do not consider how regulatory policies might influence this relationship. The current study will explore how the legal and regulatory environment in Uganda shapes NWSC's ability to recover debts.

Samiloglu and Demirgunes (2018) conducted a study to ascertain the impact of non-regulatory bill recovery processes on the profitability of industrial companies listed on the Istanbul Stock Exchange between 1998 and 2007. The accounts receivable period, cash conversion cycle, and inventory period were the independent variables used to measure profitability management, while the return on assets ratio was used to measure profitability. Regression analysis was used to analyze the data, and the results showed a substantial negative correlation between the company's profitability and the bills that were avoided. Raheman and Nasr's (2007) research, which showed that revenue lost to defaulters had a negative and considerable impact on net revenues, corroborated these findings.

Mubashir (2012) carried out a study to evaluate the variables taken into account by the Pakistani textile sector businesses when establishing their management strategies for accounts payable and receivable. The author demonstrated that the degree of internal financial controls and the regulatory policies of the companies regarding the use of credit as a means of price discrimination affected the amount of accounts receivable that the firms kept.

Additional research revealed that the company's internal financial management policies had an impact on the accounts receivable. Thomas (2013) found that weak internal finance management regulations had a statistically significant but negative connection with the profitability of these companies in his study to empirically analyze the effect of internal finance management regulations

on the profitability of Ghanaian-listed manufacturing firms.

The current study seeks to bridge the gaps identified in the reviewed literature by focusing on the specific context of NWSC in Uganda, employing a mixed-methods approach, incorporating stakeholder perspectives, and examining both financial and service delivery outcomes. This comprehensive analysis will contribute to a deeper understanding of the implications of legal actions against water bill defaulters, ultimately informing policy and management practices within the water sector.

METHODOLOGY

Research Philosophy

This study is grounded in a pragmatic research philosophy, which emphasizes the practical implications of research findings and the importance of understanding real-world problems. Pragmatism allows for the integration of both qualitative and quantitative approaches, making it suitable for exploring complex issues such as the methods of paying water bills and their impact on the performance of the NWSC (Creswell & Plano Clark, 2018). By employing a pragmatic approach, the research aims to provide actionable insights that can inform policy and operational decisions within the NWSC.

Research Design and Paradigm

The research utilized a descriptive survey method to gather comprehensive information regarding the factors influencing bills receivable management and the performance of the NWSC in Iganga Municipality. This design is effective for defining, estimating, predicting, and examining the relationships between independent variables (IVs) and the dependent variable (DV). According to Mugabi (2010), a descriptive design is particularly suited for answering questions related to who, what, when, and how, thereby providing a clear understanding of the current situation and informing future strategies.

Study Population

The target population for this study consisted of water consumers supplied by the NWSC in Iganga Municipality, specifically within the Knono II area. The total population is estimated at 5,808 individuals (Iganga NWSC report, 2023). This population is relevant to the study as it reflects the users directly affected by the billing methods and overall performance of the water service provider.

Sample Size

To determine an appropriate sample size for the study, Morgan's (1970) table for establishing survey populations was employed. Based on the total target population of 5,808, a sample size of 361 water consumers was selected. This sample size is deemed sufficient to ensure that the findings will be representative of the broader population, allowing for meaningful analysis and conclusions to be drawn.

Data Collection Instruments

The study utilized a primary data collection method whereby the researcher employed questionnaires, face-to-face interviews, and recording techniques to

gather firsthand information from participants. The questionnaire was designed to capture quantitative data, while interviews allowed for deeper qualitative insights.

Ethical Considerations

Ethical considerations were prioritized throughout the research process. Informed consent was obtained from all participants before data collection, ensuring they were aware of the study's purpose and their right to withdraw at any time. Confidentiality and anonymity were maintained by ensuring that individual responses were not disclosed and that data were reported collectively. Additionally, the study adhered to ethical guidelines established by relevant institutional review boards, ensuring the integrity and ethical conduct of the research.

RESULTS

Regulatory procedures and bills receivable management.

This was assessed by asking the customers their perception and rating the regulatory procedures applied by the NWSC for managing the water services.

Table 4.7.1: Regulatory procedures and bills receivable management.

	Strongly disagree	Disagree	Neither	Agree	Strongly agree
1. I do understand the water bill payment regulatory law of the NWSC	35.2	40.8	15.0	5.5	3.5
2. The staff of NWSC strictly apply the regulations to enforce the paying for the bills	5.5	22.5	9.6	40.0	22.4.0
3. I have ever been cautioned for delaying paying the water bills	6.5	5.5	9	55.4	23.6
4. The NWSC sues the clients who default to pay the bills the	22.5	40.0	3.2	27.3	7
5. NWSC has tough legal punishments if found stealing water	0.0	0.0	0.0	5	95

Regulatory procedures play a role in regulating the management of the water services from cooperation and the customers' sides, but do the customers understand the regulatory policy/law that governs the management services? Unfortunately, the biggest percentage (76%) of customers do not

understand the water bill payment regulatory law of the NWSC despite the majority of the customers (62.4%) showing that the NWSC strictly apply the regulations to enforce the paying for the bills in addition to cautioning (79%). This leaves a big gap

for the NWSC to sensitize its clients on the regulatory policy that governs its operations.

However, the majority of the customers (62.5%) admit that cooperation rarely takes their customers to the courts of law. Nevertheless, to a large extent, they indicated that the NWSC has tough punishments when found stealing water.

Qualitative response

Do you understand the water bill payment regulatory law of the NWSC?

"I have a general understanding of the water bill payment regulations. I know that there are specific deadlines for payments and that failing to meet these can lead to penalties. However, sometimes the information isn't presented very clearly, and I feel that more community outreach could help residents better understand their responsibilities."

Do the staff of NWSC strictly apply the regulations to enforce payment of the bills?

"From my experience, the staff are quite strict about enforcing the regulations. They frequently remind us of our payment obligations. I've seen instances where they cut off service for non-payment, which definitely gets people's attention. It feels like they take their role seriously, but sometimes it comes off as a bit harsh."

3. Have you ever been cautioned for delaying payment of your water bills?

"Yes, I was cautioned once when I delayed my payment. A staff member came to my house to inform me that my account was overdue. They explained the consequences of not paying on time, which made me realize how important it is to stay current with my bills. It was a bit stressful, but I appreciated the reminder."

Does NWSC sue clients who default on their payments?

"I've heard stories about NWSC taking legal action against clients who default on payments. It's concerning because it highlights how serious they are about collecting dues. I understand that they need to maintain their operations, but it feels intimidating to think that legal action could be taken over a bill."

Are there tough legal punishments from NWSC if someone is found stealing water?

"I know that water theft is a serious issue, and I've heard that the penalties can be quite severe. People have mentioned hefty fines and possibly even jail time for those caught stealing water. It makes me think twice about any unauthorized connections. The regulations are strict, which is good for maintaining fairness, but I wonder if they could do more to help educate people about the importance of paying for services instead of resorting to theft."

The regulatory procedures and the economic performance of the cooperation.

The study results inform that applying regulatory procedures to recover the revenues from the defaulters plays a positive and statistically significant role in recovering the revenue from the water services.

The findings of this study demonstrate a clear and positive relationship between the enforcement of regulatory procedures and the recovery of revenue from water service defaulters. The significance level of 0.0286, which is less than the conventional threshold of 0.05, indicates that the results are statistically significant. This suggests that the implementation of strict regulatory measures leads to a meaningful improvement in the financial performance of water services.

In conclusion, the evidence supports the notion that robust regulatory frameworks are essential in enhancing revenue collection efforts. By addressing non-compliance effectively, the National Water and Sewerage Corporation (NWSC) can not only

improve its revenue streams but also foster a culture of accountability among consumers. Therefore, policymakers should consider reinforcing these regulations to sustain and potentially increase revenue recovery rates in the water sector. Similar to the study findings by Mbula et al. (2016) on the effect of accounts receivable on the financial performance of Kenyan firms financed by the government venture capital revealed that there was a positive association between pursuing legal processes for the meter and bills defaulters and accounts receivables and financial performance of these firms. Likewise, Ikechukwu and Nwakaego, (2015) conducted a study to find out the effect of prosecuting clients with violate the water regulation procedures and the performance of the water company. The authors established that applying legal processes to recover the revenue from the bills defaulters and other misconducts impacted positively and significantly on the profitability of the Nigerian National Water Supply Company. Venkataramana et.al. (2013) on the effect of receivables management on profitability and working capital of a national electricity company in India showed that applying legal processes in the management of electricity bills had a significant impact on raising the revenue for the company as well as the profitability.

CONCLUSION

The study highlighted the significant impact of legal actions against customers who fail to pay their water bills on the performance of the National Water and Sewerage Corporation (NWSC) in Uganda. The findings indicate that a robust legal framework not only serves as a deterrent to non-payment but also enhances revenue collection, which is crucial for the sustainability of water services. With more than 25% of NWSC's revenue currently lost to non-payment, implementing effective legal measures is essential for the utility to maintain operational efficiency and meet the growing demand for water services driven by urbanization.

The research demonstrated that customer awareness of regulatory policies is critically low, with 76% of respondents indicating they do not understand the water bills payment regulatory law. This gap in understanding underscores the need for NWSC to enhance communication and education efforts regarding its billing policies and the consequences of non-compliance. Educating customers not only fosters a culture of compliance but also strengthens the relationship between the utility and its consumers, ultimately contributing to improved financial performance.

Furthermore, the application of regulatory procedures has proven to positively influence revenue recovery, as evidenced by the significant results obtained in this study. The correlation between legal actions and improved financial performance is consistent with findings from previous research in similar contexts. This reinforces the idea that effective debt recovery practices are vital for the financial health of water service providers, enabling them to invest in infrastructure and service delivery improvements.

Therefore, this study provides valuable insights into the relationship between legal actions and the performance of NWSC. The findings advocate for a strategic approach that incorporates legal enforcement as a key component of revenue management. By addressing the challenges of non-payment through legal means and enhancing customer understanding of billing regulations, NWSC can significantly improve its operational efficiency and service delivery.

Recommendations

The study recommends that NWSC implement comprehensive awareness programs to educate customers about the water bill payment regulatory laws and the consequences of non-compliance. This will help bridge the knowledge gap identified in the study and promote timely payments.

The study recommends that NWSC strengthen its legal framework by engaging legal experts to

develop clearer policies and procedures for pursuing defaulters. This will ensure that legal actions are effectively executed and that customers understand the seriousness of non-payment.

The study recommends that NWSC establish a dedicated customer service unit focused on addressing billing inquiries and disputes. This unit should be equipped to provide timely assistance and information, thereby fostering a better relationship with customers and encouraging compliance.

The study recommends that NWSC regularly review and update its regulatory policies to reflect changing circumstances and ensure they are aligned with best practices in the industry. This will help maintain the relevance and effectiveness of the policies in promoting timely payments.

The study recommends that the government support NWSC in its efforts to enforce legal actions against defaulters by providing necessary resources and legal backing. This collaboration will enhance the utility's ability to recover debts and sustain its operations, ultimately benefiting the community it serves.

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