

The Water Resources Regulations, No. 33/1998.

STATUTORY INSTRUMENTS

1998 No.33.

The Water Resources Regulations, 1998

(Under section 107 of the Water Act Cap 152).

[7th April 1997]

1. Citation.

These Regulations may be cited as the Water Resources Regulations, 1998.

2. Interpretation.

In these Regulations, unless the context otherwise requires -

"Act " means Water Act, Cap 152

"Chairman" means the Chairman of the Committee;

"Committee" means the Water Policy Committee established under section 9 of the Statute;

"construction permit" means the permit referred to in sub-regulation (2) of regulation 16;

"Deputy Chairman" means the Deputy-Chairman of the Committee;

"drainage regime" means the physical and hydrological circumstances that may affect drainage in a catchment, including the use of land but excluding any circumstances that arise from works that are unlawfully carried out or from any unlawful use of land;

"drilling permit" means the permit referred to in sub-regulation (1) of regulation 16;

"water way" means,

(a) a river, creek, stream or water course;

(b) a natural channel in which water regularly flows, whether or not the flow is continuous;

(c) a channel formed wholly or partly by the alteration or relocation of a waterway as defined in paragraphs (a) or (b);

(d) a lake, swamp or marsh.

Part II: Water Permits.

3. Application for a water permit.

(1) A person who,

(a) occupies or intends to occupy any land;

(b) wishes to construct, own, occupy or control any works on or adjacent to the land referred to in regulation 10;

may apply to the Director for a water permit.

(2) An application referred to under sub-regulation (1) shall,

(a) be in the form specified in the First Schedule to these regulations except that,

i) Form A shall be used for surface water permits; and

ii) Form B shall be used for ground water permits;

(b) be accompanied by the fee specified in the Second Schedule to these regulations;

(c) in the case of an application relating to groundwater, be accompanied by a borehole completion report specified in the Third Schedule to these regulations;

(d) in the case of all other applications, be made before any works referred to in regulation 10 are constructed.

(3) The Director may,

(a) require an applicant to prepare and submit plans or other information to support the application made under this regulation;

(b) in person or by a person duly authorized by him enter any land and carry out any investigations that are necessary to enable him process the application;

(c) after the provisions of this regulation are complied with, grant the water permit on such conditions as are necessary.

4. Advertisement of application.

(1) The Director may require an applicant for a water permit, at his cost, to advertise the application for a water permit in such manner as the Director may in writing specify.

(2) The Director may request the applicant referred to in sub-regulation (1), in any notice advertised under that sub-regulation, to invite submissions on that publication within such period as the Director may in writing specify.

5. Director to consult public authorities on applications.

The Director shall, after receipt of any application referred to in regulation 3, refer such application to any public authority designated by the Committee for consideration and comments.

6. Factors to be taken into account when considering an application.

The Director shall, when considering an application referred to under regulation 3 of these regulations, take into account the following factors;

- (a) the existing and projected availability of water in the area;
- (b) the existing and projected quality of water in the area;
- (c) any adverse effect which the facility or allocation or use of water under the permit is likely to have on,
 - i) existing authorised uses of water;
 - ii) an aquifer or waterway, including effects on land which forms the waterway or its surroundings;
 - iii) the drainage regime;
 - iv) the environment, including the riverine and riparian environment;
 - v) in-stream uses of water.
- (d) any water to which the applicant is already entitled;
- (e) the availability of any alternative sources of supply;
- (f) the need to protect the environment;
- (g) Government policy on conservation;
- (h) Government policy relating to the preferred allocation or use of water resources;
- (i) any notice published under subsection (1) of section 8 of the Act;
- (j) if the application relates to works on a waterway, the safety of those works and the likely effect of the escape of water from those works;
- (k) any submissions made under sub-regulation (2) of regulation 4;
- (l) the comments made by a public authority under the provisions of regulation 5 of these regulations.

7. Conditions attached to and transfer of water permits.

(1) The Director may grant a water permit in the forms specified in the Fourth Schedule except that -

(a) Form C1 shall be used for Surface Water permits; and

(b) Form C2 shall be used for Groundwater permits.

(2) In addition to the conditions specified in section 20 of the Act the Director may attach any or all of the following conditions to a water permit -

(a) the permit may be granted for a period not exceeding five years;

(b) the permit shall be granted subject to such conditions as are relevant to the specified particular types of uses determined by the Committee;

(c) conditions relating to the standard of;

i) construction;

ii) dimension;

iii) any other feature of the works; and

iv) any associated works.

(d) conditions relating to the future maintenance and operation of the works and any associated works and the date on which operation of these works may commence;

(e) the date of commencement of work on the works and the notice required to be given of that commencement;

(f) the submission of reports on the carrying out of work on the works;

(g) the period within which work on the works must be completed;

(h) the qualifications that must be held by any person who is to undertake, design, construct or operate the whole or any part of the works;

(i) in the case of works on a waterway, additional works or measures to be undertaken for,

i) the protection and enhancement of in-stream uses of water;

ii) the protection of water and its surroundings;

iii) the maintenance of flow in the waterway,

iv) the maintenance of the drainage regime.

(j) in the case of works for a storage of water within a waterway, steps to be taken to maintain the availability of water to satisfy other users;

(k) in the case of a borehole,

i) additional works or measures to be undertaken for the protection of other aquifer for the maintenance of the flow of water;

ii) requiring samples of materials excavated from the borehole and of water encountered in the borehole at the time of the excavation to be taken and given to a specified authority;

iii) requiring all or any part of the works to be carried out by or under the direction of the person holding a drilling permit.

(l) the purposes for which water may be used;

(m) the maximum amount of water which may be taken at a particular period or under the circumstances;

(n) payment for the water used;

(o) the protection of the environment;

(p) Government policy on conservation;

(q) the efficient use of water resources;

(r) the manner in which the applicant is to compensate any person whose existing authorised use of water may be adversely affected by the allocation or use of water under the permit;

(s) the protection or control of in-stream uses of water;

(t) the installation and use of measuring devices or pumps.

(3) A person who becomes the owner or occupier of any premises in respect of which a water permit exists shall continue to abstract water in accordance with the conditions and terms spelt out in that water permit for a period of three months from the date on which that person becomes the owner or occupier of the premises.

(4) After the expiry of the period referred to in sub-regulation (3) of this regulation the Director shall, on receipt of a notification from the person referred to in sub-regulation (3), set out in Form D in the Fifth Schedule, grant that person a water permit on conditions which are not more onerous to the applicant than the conditions attached to the previous water permit relating to those premises and if the Director is satisfied that the purposes for which the premises are to be used and the amount of water required will not change in any material respect.

8. Renewal of water permits.

(1) A holder of a water permit granted under regulation 3 or 10 may before the expiry of his or her permit, apply to the Director for the renewal of the permit.

(2) An application under sub-regulation (1) of this regulation shall,

(a) be made in a form and manner determined in writing by the Director;

(b) contain such information as the Director may specify;

(c) be accompanied by the fee specified in the Second Schedule to these regulations.

(3) The Director shall, in considering an application referred to under this regulation, take into account the factors specified in regulation 6 of these regulations.

(4) Where the Director renews a permit he or she may subject to these regulations, renew such permit on such terms and conditions, as he or she may determine.

9. Appeal.

(1) A person who is dissatisfied or aggrieved by a decision of the Director in connection with the grant or renewal of a permit may, within one month from the date on which the Director's decision is communicated to him, appeal, in writing, to the Minister against the decision of the Director.

(2) The Minister shall, within twenty one days of receipt of the appeal, consider and determine the appeal or refer the appeal to the Committee.

(3) Where an appeal is referred to the Committee under sub-regulation (2) of this regulation, the Committee shall consider the appeal and make written recommendation to the Minister within one month from the date the matter is referred to it by the Minister.

(4) The Minister shall, after receiving the recommendations of the Committee, consider and determine the matter within seven days from the date of receipt of the recommendations.

(5) In the determination under sub-regulation (4) of this regulation, the Minister shall take into account the recommendations of the Committee.

10. Registrations etc.

(1) This regulation shall apply to the following persons,

(a) any person who occupies land, on or adjacent to which,

i) there is a motorized water pump which, whether temporarily or permanently, pumps water from a borehole or waterway;

ii) there is weir, dam, tank or other work capable of diverting or impounding an inflow of more than 400 cubic meters in any period of 24 hours;

iii) there are works for non-consumptive uses.

(b) public authorities or any water supply authority or sewerage authority which operate works capable of diverting, impounding or using more than 400 cubic meters of water within a period of 24 hours;

(c) such other persons as the Minister may, by notice published in the *Gazette*, declare.

(2) A person who, at the commencement of these regulations,

(a) occupies land; and

(b) owns, occupies, operates, controls any works on land referred to in sub-regulation (1) of these regulations;

shall register the works and the use of water with the Director.

(3) A person referred to in sub-regulation (2) of this regulation shall, in order to be registered, apply to the Director and the application shall be in the form specified in the First Schedule to these regulations and shall be accompanied by an application fee specified in the Second Schedule to these regulations.

(4) The Director shall, where he receives an application within twelve months from the date of coming into force of these regulations and subject to sub-regulation (5), register the application and thereafter grant to the applicant a water permit.

(5) The Director may,

(a) require an applicant to prepare and submit plans or other information to support the application made under this regulation;

(b) in person or by a person duly authorised by him enter any land and carry out any investigations that are necessary to process the application;

(c) after the provisions of this regulation are complied with, grant the water permit on such conditions as are necessary.

Part III: Water Policy Committee.

11. Vacation from Office.

The office of a member of the Committee appointed under paragraphs (g), (h) and (j) of sub-section (1) of section 9 of the Act shall fall vacant if,

(a) the member resigns in writing addressed to the Minister;

(b) the member is unable to perform the functions of his or her office by reason of infirmity of body or mind;

(c) the member is otherwise unable or unfit to perform the functions of his or her office;

(d) the member is insolvent or bankrupt; or

(e) the member is convicted of an offence involving fraud or dishonesty.

12. Duties of Deputy Chairman.

(1) Whenever the Chairman is absent or is unable for any reason to attend any meeting of the Committee, the Deputy Chairman shall preside over the meeting.

(2) While the Deputy Chairman is acting as Chairman of the Committee, he or she shall exercise all the powers and perform the duties of the Chairman.

13. Additional functions of the Committee.

The Committee shall, in addition to the functions conferred on it under the Statute, perform the following functions,

(a) to co-ordinate the formulation of national policies relating to international water resources;

(b) to liaise with international regional water resources organisations;

(c) to co-ordinate the preparation of and keep under review plans and projects which may in any way affect international water resources;

(d) to initiate and co-ordinate, in consultation with the National Environment Management Authority, the preparation, implementation and revision of,

i) national water resources policy;

ii) national priorities for the use of water and related land resources;

iii) the Water Action Plan;

(e) to co-ordinate the preparation of and keep under review, plans and project which may affect national water resources whether undertaken by Government agencies, donors or private developers, to ensure that those plans and projects are consistent with the policies, priorities and Water Action Plan referred to in sub-paragraph (iii) of paragraph (d);

(f) to co-ordinate and monitor the assessment of Uganda's available water resources;

(g) to liaise with the National Environmental Management Authority and other government authorities concerning policies, guidelines, standards, monitoring and data relating to water resources;

(h) to make recommendations to the Minister in relation to the publication of notices under sub-section (1) of section 8 of the Act, particularly during times of shortages or anticipated shortage of water;

(i) to co-ordinate the preparation of and keep under review, national water quality standards;

(j) to mediate and resolve any conflicts between public authorities with respect to water resources.

14. Sub-committees of the Committee.

- (1) The Committee may appoint a sub-committee to advise it on technical matters.
- (2) A sub-committee appointed under sub-regulation (1) may consist of members of the Committee.
- (3) In appointing members to the sub-committee, the Committee shall ensure that all relevant stake-holders have an opportunity to contribute to significant decisions relating to water policy.
- (4) The Committee shall, in identifying the relevant stake-holders for appointment to the sub-committee, consider whether there is need to obtain contributions from,
 - (a) the Ministry responsible for;
 - i) local government;
 - ii) foreign affairs;
 - iii) health;
 - iv) works and transport;
 - v) meteorology;
 - vi) geological survey and mines;
 - vii) hydropower;
 - viii) veterinary services;
 - ix) forestry.
 - (b) non-governmental organisation; or
 - (c) any other interest group.

15. Proceedings of the Committee.

- (1) Meetings of the Committee shall, subject to this regulation, be held at such times and places as the Committee may determine and in any case not less than twice a year.
- (2) The Chairman may, at any time, for the purpose of dealing with any appeal referred to the Committee and on a request by at least five members, convene a meeting of the Committee.
- (3) Seven members shall form a quorum at a meeting of the Committee and for the purpose of hearing an appeal five members shall form a quorum.
- (4) Any question arising at a meeting of the Committee or at a hearing of an appeal shall be determined by consensus.

(5) Where the consensus is not possible as required by sub-regulation (4) the question shall be determined by majority of votes of members present and voting, and in the event of equality of votes the person presiding shall have a casting vote.

(6) The Committee may invite any person to any of its meetings but the person so invited shall not have a voting right.

(7) Subject to these regulations, the Committee may regulate its own procedure.

Part IV—Drilling and Construction Permits.

16. Drilling permit, etc.

(1) A person who wishes to engage in the business of constructing boreholes to enable people obtain water shall apply to the Director for a drilling permit in the format set out in Form E of the Sixth Schedule.

(2) A person who wishes to engage a driller under sub-regulation (1) to construct a borehole on his or her land for the purpose of,

(a) using water;

(b) re-charging an aquifer; or

(c) fitting a motorised pump to a borehole;

may apply to the Director for a construction permit in Form F1 of the Sixth Schedule.

(3) A person who wishes to construct any works for the purpose of,

(a) impounding, damming, diverting or conveying any surface water, whether or not on or adjacent to a waterway; or

(b) draining any land to fit any motorized pump to such works;

may apply to the Director for a construction permit in Form F1 of the Sixth Schedule.

(4) An application referred to under sub-regulation (1), (2) or (3) shall be accompanied by the appropriate application fee specified in the Second Schedule to these regulations.

17. Classification of boreholes, etc.

The Director may, by notice published in the *Gazette*, declare any class of boreholes or class of works to be a class to which the provisions of sub-regulation (2) or (3) of regulation 16 does not apply.

18. Factors to be taken into account when considering an application.

- (1) The Director or a person authorised, in writing, by the Director may,
- (a) enter and inspect any land or equipment, in connection with the application;
 - (b) require an applicant to provide such further information as is considered appropriate;
 - (c) require an applicant, at his or her cost, to give public notice of the application in such manner as the Director may specify;
 - (d) require the applicant to invite submissions on the application, in the notice given under paragraph (c) of this sub-regulation within a specified period.
- (2) The Director shall, before approving the application under regulation 16, have regard or take into account, among other things,
- (a) whether the applicant has adequate equipment which is in good condition to enable such applicant undertake the work in respect of which the application is made;
 - (b) whether the applicant has at least two employees on a permanent basis who possess technical qualifications which are necessary for the applicant to undertake the work in respect of which the application is made;
 - (c) the previous experience of the applicant with respect to similar work;
 - (d) the professional reputation of the applicant;
 - (e) the results of any inspection carried out under the provisions of paragraph (a) of sub-regulation (1) of this regulation.
- (3) The Director may, after the provisions of sub-regulations (1) and (2) of this regulation have been complied with, approve the application.

19. Grant of permit *etc.*

- (1) The Director shall, after approving the application under sub-regulation (3) of regulation 18 grant a drilling permit or construction permit for a period of one year.
- (2) The permit referred to under sub-regulation (1) of this regulation shall in Form F2 as set out in the Sixth Schedule and be issued on such conditions as the Committee may specify.
- (3) In addition to the provisions of sub-regulation (2) of this regulation a holder of a drilling permit shall comply with the provisions of regulation 22 of these regulations and any borehole construction specifications specified by the Director.
- (4) In addition to the provisions of sub-regulation (2) the holder of a construction permit shall comply with regulation 23 and any construction specifications for the types of structures specified by the Director.
- (5) A permit granted under this regulation may be renewed annually.

20. Appeal to the Minister.

(1) A person whose application is rejected by the Director under sub-regulation (3) of regulation 18 may appeal to the Minister.

(2) The Minister shall, within twenty one days of receipt of notice of appeal under sub-regulation (1) of this regulation, consider and determine the matter or refer the matter to the Committee.

(3) Where the Minister refers the matter to the Committee, the Committee shall make its recommendation to the Minister within one month of receipt of the matter from the Minister, and the Minister shall dispose of the matter within seven days of receipt of the Committee's recommendation.

21. Cancellation of permit.

The Director may cancel any permit issued under this part where the holder of the permit,

(a) fails to comply with any provision of these regulations or any conditions attached to the permit;

(b) fails to provide any information required to be provided to the Director or fails to provide the information in the prescribed form;

(c) is charged of an offence under the Act or these regulations.

22. Extra conditions attached to drilling permit.

(1) A holder of a drilling permit shall,

(a) keep a written journal of each borehole constructed containing the information specified in the Seventh Schedule to these regulations;

(b) within fourteen days after the 1st day of March, June, September and December, in each year, provide the Director with a record of all the work that has been undertaken under the drilling permit during the preceding three months, which record shall be in such form and contain such information as the Director may specify;

(c) within ninety days of completion of any borehole provide the Director with a borehole completion report, which report shall be in such form as the Director may determine and contain the information specified in the Seventh Schedule to these regulations.

(2) The Director shall not issue a water permit under regulation 3 to extract water from any borehole until a borehole report in respect to that borehole is provided to the Director.

(3) No person shall attach a motorised pump to a borehole constructed after the commencement of these regulations unless he or she has obtained a permit under regulation 16 of these regulations for the use of water from that borehole.

23. Extra conditions attached to construction permit.

(1) A holder of a construction permit shall, within ninety days of completion of any works, provide the Director with a construction completion report in respect of those works which report shall,

(a) be in a form specified, in writing, by the Director;

(b) include plans and drawings of all works as constructed; and

(c) contain such other information as the Director may, in writing, specify or require.

(2) The Director shall not issue a water permit to direct, impound, store or use any water in or from works in respect of which a construction permit is required unless a construction completion report is provided to the Director as provided under sub-regulation (1) of this regulation.

(3) After the commencement of these regulations, no person shall direct, impound, store, convey or use any water, or attach any motorised pump to any works in respect of which a construction permit is required unless a permit for that purpose has been issued first under the provisions of these regulations.

24. Access to data and plans.

(1) The holder of a drilling permit or construction permit and plans shall, at all reasonable times, allow a person authorised, in writing, by Director to do all or any of the following:

(a) inspect any borehole constructed or being constructed under a permit issued under this Part;

(b) inspect any construction works carried out or being carried out under a permit issued under this Part;

(c) inspect and take copies of any plans or drawings of the works;

(d) inspect and take copies of any written journal kept in accordance with paragraph (a) of this sub-regulation.

(2) A person who obstructs or refuses the Director or a person authorised by the Director to carry out any of the duties specified in sub-regulation (1) of this regulation commits an offence and is liable, on conviction, to the penalty specified in section 40 or 104 of the Act.

Part V: Miscellaneous.

25. Easements.

(1) An application for an easement under section 36 of the Statute shall be in Form G in the Eighth Schedule to these regulations and shall be accompanied by the appropriate application fee specified in the Second Schedule to these regulations.

(2) The Director shall, within fourteen days of receipt of the application, give written notice of the application to any person who has an interest in the land over which the easement is being sought.

(3) The Director shall, in the notice referred to under sub-regulation (2) of this regulation, invite the affected person to,

(a) inspect the application at the Director's office;

(b) make any objection or written submission to the Director within one month on receipt of the notice;

(c) indicate whether he or she wishes to be heard in person by the Director.

(4) The Director may, on hearing any objection under paragraph (b) or submission under paragraph (c) of sub-regulation (3) grant a Certificate of Easement in Form G2 of the Eighth Schedule.

26. Water charges.

(1) A person referred to in regulation 3 or 10 shall pay the relevant annual water charge specified in the Second Schedule to these regulations.

(2) A person shall pay the water charge referred to in sub-regulation (1) of this regulation whether or not that person is a registered user of water under regulation 10 of these regulations, or has been granted a permit under regulation 3 of these regulations.

(3) The Director may, wherever,

(a) the amount of water used by a person referred to in regulation 10 of these regulations has not been measured;

(b) any device used to measure the amount of water used by a person referred to in regulation 10 has failed to measure the amount of water used accurately for all or any part of the preceding year;

estimate the amount of water used by that person in the year and that person shall pay the relevant annual charge specified in the Second Schedule to these regulations.

(4) The Director may specify,

(a) any date or dates by which an amount of charge due under this regulation shall be paid;

(b) that any amount of charge payable under this regulation may be paid in instalments.

(5) A person who contravenes the provisions of sub-regulation (1) or (2) or this regulation commits an offence and is liable, on conviction, to the penalty specified in section 40 or 104 of the Act.

27. Register.

(1) The Director shall keep a register of any works and uses of water registered under these regulations.

(2) The registrar shall contain the information set out in the Seventh Schedule to these regulations and any other information which the Director may consider appropriate.

(3) The Director may revise the register,

(a) to take into account any change in the ownership or occupation of land;

(b) to correct any error; or

(c) to take into account any surrender, cancellation, variation, or alteration of any permit.

(4) Subject to this regulation, the Director may keep the register in such forms as the Director considers appropriate.

28. Offences and penalty.

(1) A person who contravenes the provisions of regulation 22, 23, 24, 26 and 28 of these regulations commits an offence and is liable, on conviction to the penalty specified in section 40 or 104 of the Act.

(2) No person shall,

(a) contravene any condition attached to a water permit issued under regulation 3 or 10 of these regulations;

(b) construct a borehole or fit a motorised pump on a borehole except in accordance with a drilling permit;

(c) contravene any condition attached to a drilling permit;

(d) carry out any construction works except in accordance with the construction permit;

(e) contravene any condition attached to a construction permit;

(f) if his or her drilling permit has been cancelled under these regulations, construct a borehole or fit any pump to a borehole except in accordance with a new drilling permit;

(g) if his or her construction permit has been cancelled under these regulations, construct any works or fit any motorised pump, except in accordance with a new construction permit.

(3) A person who contravenes any provision of sub-regulation (2) of this regulation commits an offence and is liable, on conviction, to the penalty specified in section 40 or 104 of the Act.

29. Validation and saving.

(1) Anything done, or made before the coming into force of these regulations in relation to waste permits, drilling and construction permits, which acts would have been done or made under these regulations, shall be deemed to have been done or made under these regulations.

(2) Notwithstanding sub-regulation (1), anything done or made under sub-regulation (1), shall continue in force until terminated by the Director in order to bring it in conformity with the terms and conditions under these regulations.

(3) For the avoidance of any doubt, the termination under sub-regulation (1) shall not release the holder of a permit from any liability incurred and due under the permit.

SCHEDULES

FIRST SCHEDULE

(Regulation 3(2)(a))

THE REPUBLIC OF UGANDA THE WATER STATUTE, 1995

The Water Resources Regulations 1998

FORM A. APPLICATION FOR A SURFACE WATER PERMIT.

To be completed in triplicate (3)

Complete this form if you want to register, or to obtain a permit for, works or uses relating to surface water. Depending on what you want to do, you will also have to complete Part A, B, C, D, E, F or G.

1. NAMES AND ADDRESSES

Name of Individual/Association/Company/Public Authority*

.....

Address:

Telephone: District:

Designation:

Acting for Company/Partnership/Cooperative Society/Corporation*

.....

Postal address fit" different from above):

*Delete what is not applicable.

2. LAND REQUIRING WATER

Name of land owner where the works and use of water will occur:

.....

Address of owner:

.....

Property regime of land:

.....

Bona fide occupants Mailo
 Customary Leasehold

Freehold

if lease hold, indicate: volume

.....

Folio No.

If mailo or leasehold indicate:

Block

Plot No.

Location of land where works and use of water will occur:

.....

Area of that land

District:

.....
(in Hectares)

County:

Sub-county:

.....

Parish:

Village:

3. SOURCE OF WATER

Select the source of water to be diverted, stored or used:

- | | | |
|----------------------------------|--|----------------------------------|
| <input type="checkbox"/> River | <input type="checkbox"/> Lake | <input type="checkbox"/> Channel |
| <input type="checkbox"/> Dam | <input type="checkbox"/> Stream | <input type="checkbox"/> Lagoon |
| <input type="checkbox"/> Ditch | <input type="checkbox"/> Dry river bed | <input type="checkbox"/> Swamp |
| <input type="checkbox"/> Wetland | | |

Other:

.....

Common name of the source of water:

.....

Specific point where the water will be diverted, stored or used:

.....

Side of the water uptake (when applicable): Right Bank Left Bank

District where the water uptake is located (when applicable):

.....

(Attach a topographic map 1:50,000, indicating location of the intake works).

OFFICIAL USE ONLY

Basin: Catchment:

National Grid Reference of point of water uptake:

Lat: Long:

4. USE OF WATER OR WORKS

Tick one or more boxes as appropriate

Use or proposed use of water	Mean Volume (cubic metres per day)
------------------------------	------------------------------------

Irrigation _____

Livestock _____

<input type="checkbox"/> Urban domestic	_____
<input type="checkbox"/> Urban domestic	_____
<input type="checkbox"/> Rural domestic	_____
<input type="checkbox"/> Industrial	_____
<input type="checkbox"/> Fisheries	_____
<input type="checkbox"/> Services	_____
<input type="checkbox"/> Power generation	_____
<input type="checkbox"/> Recreational	_____
<input type="checkbox"/> Other, specify	_____
TOTAL MEAN VOLUME	_____

Depending on the use of water, you will also have to complete Part A, B, C, D, E, F, or G.

5. TECHNICAL DETAILS OF ANY DIVERSION

5.1 Gravity Diversion

(a) Details of canal:

Width at bottom; metres. Width at full supply level: metres

Depth of water at full supply level: metres. Length: metres

Gradient, fall per 100m metres. Average velocity metres per second

Estimated discharge at fully supply depth..... cubic metre per day

Materials of which canal is constructed.....

(b) Details of pipe:

Internal diameter..... millimeters. Length.....meters

Hydraulic gradient, fall in 1000 meters meters. Pipe thickness millimeters

Description of pipe material

(c) Details of any other structures such as siphons, flumes, tunnels, etc.

.....

.....

(d) Will any canals, pipes or structures be on another person's land? () Yes () No

If so: Name of land affected:

Name of its owners and occupiers:

(e) How do you propose to measure the volume of water used?

.....

(f) What type of measuring equipment will be installed?

5.2 Diversion by Pump

Type of pump:

Centrifuge () Submersible () Solar () Other () Specify

Type of driving machine and fuel used;

Brake horse power of machine: HP. Elevation of pump above sea levelmetres.

How will the pump be connected to driving machine?

Internal diameter of suction main: inches. Maximum height of suction

Length of suction pipe: millimetres.

Height to which the pump will lift the water: metres

Internal diameter of delivery pipe: inches. Length of delivery pipe: metres

Pumping hours per day: hours/day.

Quantity of water to be pumped when plant is working: cubic metres per day

Will any canals, pipes or structures be on another person's land? () Yes () No

If Yes: Name of land affected:

.....

Name of its owners and occupiers:

.....

6. OTHER INFORMATION

Will the water be used in any way which could increase the silt, gravel or other solids in the water source, or make it likely to harm people, animals, fish, crops, or gardens? () Yes () No

Give details of any other water permits relating to the same land as this application:

When will you begin to use all the water applied for?.
(Attach your development plan)

For how long will you require a water permit?

DECLARATION OF THE APPLICANT

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made nor action taken with respect to this application until I receive a notification from the Directorate of

Water Resources that I have provided all the necessary information.

Signature of applicant Official seal/stamp

Full names: Date:

Note:

When you have completed this form and the appropriate parts, you must attach CASH or CHEQUE for

Ushs..... for processing the application and send them to:

The Director

Directorate of Water Resources

P.O. Box 20026

Kampala

The Director may require you to advertise this application at your cost in a way specified by the Director.

OFFICIAL USE ONLY

RECEPTION DATE: (D) (M) (Y)

APPLICATION NUMBER

Note:

When you have completed this form and the appropriate parts, you must attach CASH or CHEQUE for Ushs..... for processing the application and send them to:

	Number or description	Mean volume of water required (cubic metres per day)
1. Household and sanitary use <ul style="list-style-type: none"> • Number of low density houses • Number of occupants of medium density houses • Number of occupants of high density houses 		
2. Stock watering: <ul style="list-style-type: none"> • Number of large stock • Type: • Number of small stock • Type: 		
3. Cattle: <ul style="list-style-type: none"> • Sheep: • Others (specify): • Number of animal dips: 		
4. Other non-industrial farming operations (please describe) 		
5. Total mean volume		

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names: Date:

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M).....
(Y).....

APPLICATION NUMBER

PART B

PUBLIC PURPOSES

1. How much water will you require for each or any of the following purposes?

		Quantity required (cubic metres per day)	
		Present	In five years time
(a)	Municipal, urban or community purposes or supply to others in return for payment		
(b)	Any other purposes: (Specify);		

		
(c)	TOTAL water required for public purposes		

2. If water is required for purposes mentioned in paragraph I (a), please provide the following estimates: 2

	Density Number of	Low house	Medium Occupant	High Occupant
Estimated population at present Estimated population 5 years hence Estimated population 10 years hence Estimated population 20 years hence				

3. If water is required for purposes mentioned in paragraph I (b), to what use will the water be put?

.....

4. Will the applicant supply water to any other person, in return for payment?

.....

DECLARATION OF THE APPLICANT

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the necessary information.

Signature of applicant Official seal/stamp

Full names: Date:
.....

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M).....
(Y).....

APPLICATION NUMBER

PART C

INDUSTRIAL PURPOSES

	Quantity of Water required (cubic metres per day)	Number of hours per day that factory will be working Normal: Maximum:	Periods during the year when water will be required
--	---	--	--

(a) Stream raising, cooling and condensing water			
(b) Manufacturing			
(i) Process water			
(ii) Effluent dilution			
(c) Coffee pulping and washing			
(d) Other purposes			
(e) TOTAL water required for industrial purposes			
(f) If water is required for (b) or (d), to what use will the water be put?			

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names Date:

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M).....
 (Y).....

APPLICATION NUMBER

PART D IRRIGATION PURPOSES Please provide the following information:			
	Crop	Area, hectares	Growing season (months)
(a) Crops to be irrigated and area of each	(i)		to
	(ii)		to
	(iii)		to
	(iv)		to
(b) Quantity of water in cubic metres per day	Jan	April	Jul
	Feb.	May	Aug
	Mar.	June.	Sep.
(c) What type of soil will be irrigated?			Oct Nov Dec.
(d) Is the sub-soil permeable to drainage?			

(e) Describe what drainage works will be constructed on the irrigated land

(f) How will you dispose of unused water? Name the water source to which it will be returned.

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names Date:

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M).....
(Y).....

APPLICATION NUMBER

PART E

USE OF WATER FOR POWER GENERATION

Please provide the following information:

- (a) Purpose for which power is required

- (b) Brake horse power to be developed:
 - (i) maximum: BHP
 - (ii) minimum: BHP

- (c) Gross fall or head available fm power production at the following river stages*

(i) allow stage:

(ii) at normal stage:
.....

(iii) at high stage:
.....

* (Only answer items (i) and (ii) if the power so b e developed is in excess of 100 HBP)

The net fall or head to be used in (b) above: Metres

Type of machines to be installed:

.....

Number of machines to be installed:

.....

How will water be returned to its source after use?

.....

State length of any return channel:

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names Date:

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M).....
(Y).....

APPLICATION NUMBER

PART F

CONSTRUCTION OF DAM

1. Please provide the following information for all dams

(a) Nature of stream bed at site (e.g. 'sound rock', fissured rock', 'soil', 'sand')

.....

(b) Nature of walls of river at site (e.g. 'sand', 'soil'):

(c) Will dam be founded on sound rock?

(d) Will dam be founded on any material, which may be eroded by underflow?

.....

(e) Describe type of dam (e.g. 'earth' with core wall, 'concrete', 'masonry')

.....

(f) Length of crest of dam (m):

Maximum height of dam (m)

Thickness at crest (m):Thickness at base (m):

(g) Estimated area of reservoir at spillway (ha):

(h) Estimated reservoir storage capacity (m³):

(i) Will the submerged area at high flood level be on another person's land?

() Yes () No If Yes give the name and other landowners.

(j) Is either bank of the stream at the site of dam owned by another person?

Yes No If Yes give the name of other landowners.

(k) Will any other works including weirs, already constructed or being constructed be affected by the head and/or tail water level of the proposed works?

Yes No If Yes give full details of the works affected.

2. If the dam exceeds 70,000 cubic metres in volume or 5 metres in height,

please provide the following information about its catchment area:

.....

(a) area of surface catchment (km²)

(b) maximum length of catchment (km)

(c) average breadth of catchment (km)

(d) ruling slope of catchment (fall per kilometre)

(e) nature of ground of catchment (e.g. 'rocky', 'stony soil', 'clay soil')

.....

(f) vegetation of catchment (e.g. 'forest', 'shrub', 'pasture', 'crop')

.....

3. Please provide the following information about means of disposing of flood waters;

(a) Will the dam act as a weir? Yes No

(b) Will there be by-passes or waste weirs on one or both flanks?

.....

.....

(c) State the width and depth of the by-passes below the crest of the dam:

Width (m): Depth (m):

(d) If by-passes or waste weir (s) are to be constructed, state nature of material in

which they will be excavated

(e) State maximum capacity of the weir (m³/sec):

.....

(f) State nature of material to be used for lining the by-passes or waste weir(s)

.....

(g) Gradient of waste weir:

.....

If you propose to use some other method to dispose of floodwaters,

please give details:

.....

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names Date:

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M)..... (Y).....

APPLICATION NUMBER

PART G

OTHER PURPOSES

Describe the amount of water that will require for any other purposes?

Purpose	Number or description	Mean volume of water required (cubic meters per day)
---------	-----------------------	---

1		
2		
3		
4		
5. Total Mean Volume		

DECLARATION OF THE APPLICANT

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Signature of applicant Official seal/stamp

Full names Date:



OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M)..... (Y).....

APPLICATION NUMBER

SIXTH SCHEDULE

Regulation 19 (1) and (2)

THE REPUBLIC OF UGANDA

THE WATER STATUTE, 1995

The Water Resources Regulations, 1998

FORM F3.

CONSTRUCTION PERMIT

To be completed in triplicate (3)

Permit No.

Name and Address:

.....

You are hereby authorised to carry out the following works;

.....

.....

.....

Location (District, County, Sub-county, Parish, Villages. Volume /Block, Folio Number/Plot Number):

.....

.....

This permit shall be valid from (date) to (date)

In addition to the extra conditions specified in these regulations and other law in force, this permit is subject to the following conditions:

1.

2.

3.

4.

5.

6.

Date:

Signature

Official Stamp

.....

Name

Director of Water Resources

SEVENTH SCHEDULE

(Regulation 27 (2))

REGISTRATION

SURFACE WATERS

An entry in the Register concerning any works or use registered under regulation 10 or for which a permit is granted under regulation 3 or 10, which relates to surface water, must include:

(a) the name of the person or corporate entity who has registered, or to whom a permit has been granted;

(b) the address of the person or corporate entity who has registered, or to whom a permit has been granted;

(c) the location of the works;

(d) the name of the District where the works and use of water occurs or will occur, if applicable;

(e) the name of the basin where water uptake is located;

(f) the name of the catchment, where water uptake is located;

(g) the name of the water way on which works are situated, if applicable;

(h) the number of the relevant construction completion report;

(i) the name of the contractor who constructed the works;

(j) the date on which construction was completed;

(k) the capacity of the diversion or impoundment;

(l) the frequency and rate of any withdrawal or diversion of water;

(m) the amount of water abstracted or that will be authorised to be abstracted in the permit;

(n) the description of the purpose for which water is used;

(o) the permit number;

(p) the duration of the permit;

(q) the expiration date of the permit;

(r) the authority that granted the permit;

(s) the registration folio of the permit or the registration folio of the works or water use;

(t) the date of registration;

(u) the authority that registers the permit or works or water use;

(v) any significant changes to the status of the permit;

(w) any relevant conditions attached to the registration or permit.

GROUND WATER

An entry in the Register concerning any borehole or use of water from a borehole registered under regulation 10 or for which a permit is granted under regulation 3 must include:

(a) the name of the person or corporate entity who has registered, or to whom a permit has been granted;

(b) the address of the person or corporate entity who has registered, or to whom a permit has been granted;

(c) the location of the borehole;

(d) the name of the District where the works and use of water occurs or

will occur, if applicable;

- (e) the name of the basin where water uptake is located;
- (f) the name of the aquifer where water uptake is or will be located;
- (g) the number of the relevant borehole completion report;
- (h) the name of the driller who constructed the borehole;
- (i) the date on which construction was completed;
- (j) the depth, diameter and lining of the borehole;
- (k) the capacity of any pump attached to the borehole;
- (l) the frequency and rate of any withdrawals or discharges from the borehole;
- (m) the amount of water abstracted or that will be authorised to be abstract;
- (n) the description of the purpose for which water is used;
- (o) a description of the water supply system;
- (p) the permit number;
- (q) the duration of the permit;
- (r) the expiration date of the permit;
- (s) the authority that granted the permit;
- (t) the registration folio of the permit or the registration folio of the works or water use;
- (u) the date of registration;
- (v) the authority that registers the permit or works or water use;
- (w) any significant changes to the status of the permit;
- (x) any relevant conditions attached to the registration or permit.

3. SOURCE OF WATER

Select the source of water from or to which you wish to take water:

- River Lake Channel
- Dam Stream Lagoon
- Ditch Dry river bed Swamp
- Wetland Borehole Dug well

- Spring Other, specify:

Common name of the source of water

Specific point where the water is or will be taken:

Side of the water uptake (when applicable): Right Bank Left Bank

District where the water uptake is located (when applicable):

Give details of any water permit you hold to take water from this source:
.....

(Attach a topographic map 1:50,000, indicating location of the intake works, the layout of the works, land which will benefit from the easement, land over which easement is sought).

OFFICIAL USE ONLY

Basin: Catchment:

National Grid Reference of point of water uptake: Long: Lat:

4. EASEMENT

Why do you require the easement?

.....

What form will the easement take? (e.g. right-of-way, to construct a pipeline or channel):

.....

What works, if any, do you want to construct on that land?

.....

For how long would you want the easement?

5. PEOPLE AFFECTED

Give the number of the certificate of title for the land over which the easement is sought:

.....

Give the names and addresses of all people whom you know can claim an interest in that land;

.....

Which of these people have refused to grant you an easement?

.....

(Please enclose copies of any relevant correspondence)

6. ACCOMPANYING INFORMATION

Please list all maps, plans or other documents enclosed with this application.

DECLARATION OF THE APPLICANT

I certify that the information provided in this form is correct to the best of my knowledge. I also agree that no decision will be made nor action taken with respect to this application until I receive a notification from the Directorate of Water Resources that I have provided all the necessary information.

Signature of applicant Official seal/stamp

Full names: Date:

NOTE

When you have completed this form and the appropriate attachments, you must attach CASH or CHEQUE for Ushs. for processing the application and send them to:

The Director

Directorate of Water Resources

P.O. Box 20026Kampala

The Director may require you to advertise this application at your cost in a way specified by the Director.

OFFICIAL USE ONLY

RECEPTION DATE: (D)..... (M)..... (Y).....

APPLICATION NUMBER

THE REPUBLIC OF UGANDA
THE WATER STATUTE, 1995

Regulation 25 (4)

(Statute No. 9 of 1995)

The Water Resources Regulations 1998

FORM G2

CERTIFICATE OF EASEMENT

To be completed in triplicate (3)

Permit No.

Name and Address

.....

You are hereby granted an easement under section 36 of the Water Statute and Regulation 25: Description of the benefited land:

.....

.....

Description of the burdened land (District, County, Sub-county, Parish,

Villages, Volume/Block and Folio Number/Plot Number)

.....
.....

Name of Owner:

.....

Address of Owner:

.....

Nature of burden imposed on burdened land

.....

This Permit shall be valid from (date) 19..... to (date) 19
.....

This permit is subject to the following conditions:

1.
2.
3.
4.
5.

Date:

Signature

Official Stamp

.....

Name

Director of Water Resources.

GERALD M. SENDAULA,

Minister of Natural Resources.