

*Order*

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1. Citation.
2. Establishment of the Corporation.
3. Board of the Corporation.
4. Headquarters.
5. Functions of the Corporation.
6. Charges for water.
7. Fund and banking accounts.
8. Protection from personal liability.
9. Liability of the Corporation for damages.
10. Delegation by the Corporation.

SCHEDULE OF WATER PROJECTS

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**NATIONAL WATER CONSERVATION AND PIPELINE CORPORATION  
ORDER, 1988**

[L.N. 270/1988, L.N. 42/1989.]

**1. Citation**

This Order may be cited as the National Water Conservation and Pipeline Corporation Order, 1988.

**2. Establishment of the Corporation**

There is hereby established a state corporation to be known as the National Water Conservation and Pipeline Corporation (hereinafter called "the Corporation") which shall be a body corporate in accordance with section 3 of the Act and which shall perform and exercise the duties, functions and powers specified in the Act and in this Order.

**3. Board of the Corporation**

There shall be a Board of the Corporation which shall, subject to section 6(4) of the Act, consist of—

- (a) a non-executive chairman appointed by the President;
- (b) the chief executive;
- (c) the Permanent Secretary to the Ministry for the time being responsible for water development;
- (d) the Permanent Secretary to the Treasury;
- (e) the Director-Chief Engineer for Water Development;
- (f) not more than six other members not being employees of the Corporation, of whom not more than two shall be public officers, appointed by the Minister.

**4. Headquarters**

The headquarters of the Corporation shall be in Nairobi.

**5. Functions of the Corporation**

(1) The Corporation shall, under the general direction of the Minister for the time being responsible for water development, manage and develop the water projects specified in the Schedule, details of which are available at the offices of the chief executive of the Corporation and the Permanent Secretary to the parent Ministry.

(2) The Minister may by notice in the *Gazette* amend the Schedule.

(3) The Corporation shall in connection with the water projects specified in the Schedule

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- (a) supply water in bulk to such water undertakers as the Minister may, after consultation with the Board, by notice in the *Gazette*, designate;
  - (b) supply water, in bulk or otherwise, to such persons or class of persons as the Minister may, after consultation with the Board, by notice in the *Gazette*, designate;
  - (c) do all such things as may be necessary or advantageous for the management and development of the water projects and for securing an adequate supply of water;
  - (d) apply for and obtain all such licences, permits and other authorities required under any written law or as may be desirable.

(4) The Corporation shall assist the Government in the formulation and execution of a national water development policy.

#### **6. Charges for water**

(1) The Board shall, in consultation with the Minister and subject to subparagraph (2), determine the prices to be charged by the Corporation for water supplied by it and the methods of charge for water; and the prices to be charged and the methods of charge for water supplied by the Corporation in bulk shall be published in the *Gazette*.

(2) The Corporation may determine separate prices or methods for any particular person or class of persons or for any particular area.

#### **7. Fund and banking accounts**

(1) The Corporation shall establish a "National Water Conservation and Pipeline Fund" in to which all moneys received by the Corporation shall be paid and out of which all payments made by the Corporation shall be made.

(2) The Corporation shall open a banking account or banking accounts for the Fund.

(3) The Corporation may invest any surplus funds in the manner approved by the Minister and may lend those funds for water development purposes.

#### **8. Protection from personal liability**

No matter or any thing done by a member of the Board or any officer, employee or agent of the Corporation shall, if the matter or thing is done *bona fide* for executing the functions, powers and duties of the Corporation render the member, officer, employee or agent or any person acting by his directions, personally liable to any action claim or demand whatsoever.

#### **9. Liability of the Corporation for damages**

The provisions of this Order shall not relieve the Corporation of the liability to pay compensation or damages to any person for any injury to him, his property or any of his interests caused by the exercise or any power conferred by this Order or by the failure, whether wholly or partially, for any works.

#### **10. Delegation by the Corporation**

The Corporation may, by resolution, either generally or in any particular case, delegate to any committee of the Corporation, or to any member, officer, employee or agent of the Corporation the exercise of any of the powers or the performance of any of the functions or duties the Corporation is authorized by this Order to exercise or perform.

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#### **SCHEDULE OF WATER PROJECTS**

[L.N. 42/1989.]

1. The Nul-Turesh Pipeline and Water Supply.
2. The National Dam Construction Project.
3. The Greater Nakuru Water Project (East and West).
4. The Second Mzima Pipeline.
5. The Great Rift Water Project.
6. The Tana/Lamu Water Project.
7. The Sabaki Water Project.

8. Kapsabet Water Project.
  9. Ndia Water Project.
  10. Othaya Water Project.
  11. Embu Water Project.
  12. Bungoma Water Project.
  13. Kakamega Water Project.
  14. Shitoli Water Project.
  15. Kandara Water Project.
  16. Kahuti Water Project.
  17. Litein Water Project.
  18. Chebang'ang Water Project.
  19. Nyakach Water Project.
  20. Kisii Water Project.
  21. Maseno–Kombewa Water Project.
  22. Mathira Water Project.
  23. Aguthi Water Project.
  24. Marmanet Water Project.
  25. Kiambu Water Project.
  26. Oloitokitok Water Project.
  27. Marere Pipeline Water Project.
  28. Tiwi Water Project.
  29. Kabarnet Water Project.
  30. Siaya Water Project.
  31. Kiambaa Water Project.
  32. Taveta Lumi Water Project.
  33. Kiambere Water Project.
  34. Soin Water Project.
  35. Itare/Chemosit Dam Project.
  36. Inter-Basin Water Transfer Nzoia/Kerio Project.
  37. Endo/Perkerra Water Project.
  38. Kipsigak Water Project.
  39. Kurgung Water Project.
  40. Chemususu Dam Project.
  41. Malewa Dam Project.
  42. Kirandich Dam Project.
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