

THE WATER ACT

(Cap. 372)

IN EXERCISE of the powers conferred by section 23 of the Water Act, the Cabinet Secretary for Water, Sanitation and Irrigation makes the following Order —

THE MWANGEA HILLS CATCHMENT PROTECTION AREA
(AMENDMENT) ORDER, 2025

1. This Order may be cited as the Mwangea Hills Catchment Protection Area (Amendment) Order, 2025. Citation.

2. The Mwangea Hills Catchment Protection Area (Amendment) Order, 2023, in this Order referred to as “the principal Order”, is amended in paragraph 6 by deleting the words “a fine of twenty thousand shillings or imprisonment for a term not exceeding six months or to both such fine and imprisonment” and substituting therefor the words “the penalty prescribed under section 147 of the Act.” Amendment of the paragraph 6.

3. The Second Schedule to the principal Order is amended — Amendment of the Second Schedule.

(a) in Part II by deleting paragraph 3.1;

(b) in Part III—

- (i) by inserting the following new paragraph immediately after the Title—

3.1 No person shall undertake the following activities unless authorized by the Authority in consultation with other relevant stakeholders—

- (a) tillage or cultivation of vegetation that is adverse to water resources;
- (b) clearing of indigenous trees or vegetation;
- (c) building of permanent structures (particularly boreholes and houses);
- (d) disposal of any form of waste;
- (e) excavation of soil or development of quarries;
- (f) planting of exotic species that may have adverse effect to the water resource; and
- (g) land reclamation.

- (ii) by inserting the following new paragraph immediately after paragraph 3.1 —

3.1 A A land owner or user may, upon showing good cause, request the Authority, in writing, to undertake a proscribed activity and the Authority shall communicate its decision, in writing, to the land owner or user within thirty days of receiving the request.

Dated the 17th December, 2024.

MOHAMED M. SHURIE,
Chief Executive Officer,
Water Resources Authority.