

Water (Combined Irrigation Schemes) Regulations, 1962.

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IT is hereby notified that His Excellency the Governor has been pleased, in terms of section 121 of the Water Act (*Chapter 251*), as amended, to make the following regulations:—

1. These regulations may be cited as the Water (Combined Irrigation Schemes) Regulations, 1962.

2. In these regulations, unless inconsistent with the context—  
“form” means the appropriate form prescribed in the Schedule hereto;

“Minister” means the Minister to whom the Governor may assign the administration of the Water Act (*Chapter 251*).

3. Whenever two or more owners of land desire that in respect of a certain area a combined scheme of irrigation be authorized, a petition in terms of section 59 of the Act shall be submitted to the Minister substantially in accordance with form “A”.

4. (1) The Committee nominated in terms of section 59 of the Act having taken steps to have the scheme investigated in terms of section 61 of the Act and having ascertained whether or not the owners of farms affected by the proposed scheme consent to participate in the scheme or do not oppose such scheme shall forward to the Water Registrar for the information of the Minister, all particulars relating to the scheme and the necessary documents to show how many owners consent as aforesaid.

(2) Where all owners of land within the area which may be affected thereby and to whom the engineer's report has been submitted in terms of section 61 of the Act have notified the committee whether or not they consent to participate in the scheme the particulars and documents mentioned in subsection (1) may be submitted notwithstanding that six months has not elapsed since the said owners received the aforesaid report.

5. The particulars and other information submitted by the said committee shall be substantially as in form “B”. The engineer appointed by the committee in terms of section 61 of the Act shall supply the particulars prescribed in section 18 of these regulations.

6. Whenever a combined scheme has been approved by the Water Court and the number of participants exceeds three, the Minister shall as soon as possible thereafter fix by notice in the *Gazette*, the number of persons to comprise the irrigation board.

7. The Civil Commissioner of the district shall prepare the first list of voters, showing the number of votes to which each is entitled, in terms of sections 70 and 71 of the Act, and notify the

participants of the date and place fixed for the hearing of objections to and for the revision of such list. Objections to the list shall be heard on a date and at a place to be fixed by the Minister by notice in the *Gazette*, by the Civil Commissioner of the district.

8. The said list shall be revised annually by the Water Registrar, who shall advise all participants in the scheme of any proposed alterations to the list. Any objections to the said list shall be dealt with in the same manner as provided in section 7 of these regulations.

9. The election of members of the Board to fill vacancies arising in terms of subsection (2) of section 74 of the Act shall take place annually at a general meeting of voters of which written notice, giving the date, time and place of meeting, shall be sent to each voter and the Water Registrar at least fourteen days before the date fixed for election.

10. The date of the first meeting for the election of a Board shall be fixed by the Minister. The Civil Commissioner shall send out the required notices and shall preside at the meeting.

11. Every person nominated as a member of an Irrigation Board shall be proposed by some voter qualified for such area, and shall be seconded by some other qualified voter. If the number of persons so nominated be not greater than the number of members to be elected, then the persons so nominated shall then and there be declared to be duly elected.

12. In cases where the number of persons nominated shall exceed the number of members to be elected a secret ballot shall be held forthwith.

13. The secretary of the irrigation board or in the case of a first election the Civil Commissioner, shall enter on a list the names of every voter, the value of his vote and manner in which he votes, and shall sum up and calculate the number of votes received for each candidate and shall then announce the names of the successful candidates in order of the number of votes cast for them.

14. As soon as may be after an election, the secretary of the irrigation board or in the case of a first election, the Civil Commissioner, shall forward a list of the elected members to the Water Registrar who shall forthwith publish their names in the *Gazette*.

15. Immediately after the election of the first members of any irrigation board, the Civil Commissioner shall appoint a time and place for the first meeting of the Board, and shall notify each member thereof.

16. No business shall be transacted at any Board meeting unless at least one-third of the Board members be present if the Board consists of more than three members, and if the Board consists of three members only no business shall be transacted at any Board meeting unless two of the members be present throughout the proceedings.

17. The irrigation assessment roll prepared in accordance with section 81 of the Act shall be substantially in accordance with form "C".

18. The following particulars shall be reported to the committee by a qualified engineer in terms of section 61 of the Act and the committee shall submit copies of such report to the Director of Irrigation and owners of land which may be affected thereby:

- (a) eight prints each of all necessary maps and design drawings. The true north direction shall be shown on all maps. Such maps shall contain all relevant information as to property boundaries and all areas affected by the scheme. The maps and plans submitted shall include—
  - (i) a key map showing the location of the scheme in relation to the district in general;
  - (ii) a contour plan of any storage work showing both the full supply level and the estimated high flood level;
  - (iii) the situation and extent of all cultivated or arable land, plantations and buildings, etc., included in any storage basin to be shown on this plan;
  - (iv) the capacity and surface area curves for any dam;
- (b) the main working drawings of any dam and ancillary works;
- (c) type drawings of the main canal and structures;
- (d) an estimate of the cost of the irrigation works as defined in the Act, together with a statement of what further investigation, if any, is required before final plans and estimates can be drawn up. Such cost shall include an estimate of any compensation payable;
- (e) a schedule showing in respect of each farm embraced by the combined scheme—

- (i) the total area of land commanded by the canal;
- (ii) area of arable land within the area commanded;
- (iii) area of land it is proposed to declare as irrigable;
- (iv) the proportionate share of the cost of the combined scheme;
- (v) estimated cost of distributary furrow, the cost of which will be a personal liability on the individual owner as apart from his *pro rata* share of the cost of the combined scheme.

19. The following Government Notices are hereby repealed.

Government Notice No. 152 of 1928.

Government Notice No. 74 of 1932.

SCHEDULE  
FORM "A"  
(Section 3)

NATIVE DISTRICT OF SOUTHERN RHODESIA.  
PETITION FOR COMBINED IRRIGATION SCHEME  
TO THE MINISTER OF

The petition of the undersigned sheweth:—

1. That your petitioners are proprietors of land irrigable under the proposed scheme and situated in the Native District of .....
2. That your petitioners are of the opinion that it is expedient that there should be a combined scheme of irrigation for the area (approximately ..... acres in extent) comprising all the land bounded as follows:
  - On the east by .....
  - On the north by .....
  - On the west by .....
  - On the south by .....
3. That the petitioners consider the following works to be necessary to give effect to the proposed scheme.  
.....  
.....  
.....  
.....

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4. That your petitioners propose to irrigate a total of .....  
 acres in the said area under the scheme, of which they own not less  
 than one-tenth.

Wherefore your petitioners pray that a combined irrigation scheme be  
 authorised for the said area, and that the undermentioned owners of land  
 in the area aforesaid be nominated a committee in terms of section 59 of  
 the Act for the purpose of section 61 of the Act.

<i>Name:</i>	<i>Farm:</i>	
1. ....	.....	.....
2. ....	.....	.....
3. ....	.....	.....

<i>Signatures of Petitioners:</i>	<i>Farm:</i>	
.....	.....	.....
.....	.....	.....
.....	.....	.....

FORM "B"  
 (Section 5)

NATIVE DISTRICT OF ..... SOUTHERN RHODESIA.

SUBMISSION OF REPORT AND PARTICULARS OF  
 A COMBINED IRRIGATION SCHEME  
 TO THE MINISTER OF

The committee appointed on the ..... day of  
 ..... for the purposes of section 61 of the  
 Act in respect of the ..... combined irrigation  
 scheme, hereby submit the consent or otherwise of interested owners em-  
 braced by the proposed scheme and declare as follows:—

1. The scheme has been investigated by a qualified engineer and his  
 report attached hereto with full particulars was submitted to all  
 owners of land comprised within the area defined in our original  
 petition.
2. Not less than two-thirds of the said owners have already consented to  
 or do not oppose such scheme.
3. (a) The following owners have notified their consent to participate in  
 the scheme in respect of the following irrigable areas:—

<i>Name of owner</i>	<i>Farm</i>	<i>Irrigable area consented to</i>	<i>Irrigable area under Scheme</i>
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

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(b) The following owners have stated that they do not oppose the scheme:—

<i>Name of Owner</i>	<i>Farm</i>	<i>Irrigable area under Scheme</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....

(c) The following owners have stated that they are unwilling to participate in the scheme:—

<i>Name of Owner</i>	<i>Farm</i>	<i>Irrigable area under Scheme</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....

(d) The following owners have not yet indicated whether or not they consent to participate in the scheme:—

<i>Name of Owner</i>	<i>Farm</i>	<i>Irrigable area under Scheme</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....

4. The approximate cost of the scheme is £..... for the irrigation of ..... acres.

*Note.*—This includes the estimated compensation for land, etc.

5. The supply of water is to be derived from the ..... river—

(a) by storage ..... acre-feet;

(b) by direct abstraction from normal flow ..... cusecs.

*Names and signatures of Committee Members:*

.....  
 .....  
 .....

*Address:*

.....  
 .....  
 .....

*Date:*

....., 19.....

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FORM "C"

(Section 17)

ASSESSMENT ROLL

<i>Name of person liable to pay rates</i>	<i>Property in respect of which rate is levied</i>	<i>No. of acres scheduled as irrigable</i>	<i>Rate assessed per acre</i>	<i>Any other rates or charges due</i>	<i>Amount due £ s. d.</i>	<i>Remarks</i>