

THE IRRIGATION ACT

ORDER
(under section 4)THE IRRIGATION AUTHORITY (LICENSING OF THE NATIONAL IRRIGATION
COMMISSION LIMITED) ORDER, 2001*(Made by the Minister on the 3rd day of September, 2001)*

L.N. 135W/2001.

1. This Order may be cited as the Irrigation Authority (Licensing of the National Irrigation Commission Limited) Order, 2001.

Citation.

2. This Order shall be read and construed subject in all respects to the Irrigation Act (hereinafter referred to as the Act) and the several words and expressions to which meanings are assigned by the Act shall have in this Order the same respective meanings.

Construction.

3. In this Order—

Interpretation.

“the Commission” means the National Irrigation Commission Limited, a company incorporated under the Companies Act;

“prescribed period” means a period of ten years beginning on the relevant date;

“relevant date” means the 17th day of September, 2001.

4.—(1) During the prescribed period the Commission is licensed to be the Irrigation Authority for the purposes of the Act.

Functions of the Commission, under the licence.

(2) By the licence under paragraph (1), the Commission shall be responsible for the implementation of the provisions of the Act in relation to all irrigation areas and restricted areas.

5. The revenues derived from irrigation charges and drainage charges in relation to the reclamation of land or the use of any watercourses shall, during the prescribed period, be received by the Commission and shall be applied by the Commission for the purposes of the functions assigned to it by this Order.

Application of revenues.

6. It shall be the duty of the Commission as far as is practicable in carrying out its functions under this Order, to seek to secure that the revenues referred to in paragraph 5 become at least sufficient to meet all sums properly chargeable to revenue account (including sums required for the repayment of loans and interest thereon).

General duty of the Commission as to finance.

Collection
of arrears
accrued prior
to relevant
date.

7. The Commission may collect any amounts that are at the relevant date outstanding as irrigation charges or drainage charges under the Act.

Transfer of
staff of
Authority.

8. During the prescribed period, all persons in the employment of—

- (a) a prescribed Authority; or
- (b) the Commission as assignee of the functions of such Authority,

immediately prior to the relevant date shall as from that date be employed by the Commission upon the like terms and conditions of employment.

Contracts for
the management
or operation
of irrigation
works.

9. Subject to the provisions of the Act, the Commission may, with the prior approval of the Minister, enter into a contract with another party for that party to undertake the management or operation of any irrigation works specified in the contract, upon such terms and conditions as may be specified in the contract.